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**AUDIO TRANSCRIPTION**

*September 13, 2021*

**SC HOUSE JUDICIARY COMMITTEE**

**York Redistricting Hearing**

REPORTER: Barbara Ham

1 STATE OF SOUTH CAROLINA

2 COUNTY OF YORK

3 HOUSE JUDICIARY COMMITTEE

4 REDISTRICTING AD HOC SUBCOMMITTEE

5 ROCK HILL

6

7 CHAIRMAN:

8 Jay Jordan

9

10 REPRESENTATIVES PRESENT:

11 Justin Bamberg Bamberg

12 Neal Collins Pickens

13 Pat Hennigan Marlboro

14 Beth Bernstein Columbia

15 Jason Elliott Greenville

16 Weston Newton Beaufort

17 Emma Dean, Esquire

18

19 DATE: September 13, 2021

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21 LOCATION: York Tech Barnes Theatre in the

22 Baxter M. Hood Center

23 375 S. Anderson Road

24 Rock Hill, South Carolina

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I N D E X

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Ms. Yaffe..... 18  
Chairman Jordan..... 19  
Certification of Reporter..... 22

1 CHAIRMAN JORDAN: All right ladies and gentlemen.  
2 It's a couple of minutes past six. I'm going to  
3 go ahead and call the meeting to order so we can  
4 get started tonight. My name is Jay Jordan, I am  
5 the Chairman of the House Ad Hoc Committee on  
6 Redistricting. It is my pleasure to welcome  
7 everyone this evening. I also want to introduce  
8 my friends up here with me this evening. I'm  
9 going to go in alphabetical order as I have been.  
10 To my left, you ready to raise your hand Justin?  
11 Justin Bamberg, all the way from Bamberg, South  
12 Carolina. Neil Collins, from Pickens. Pat  
13 Hennigan from Marlboro, my fellow 7th  
14 Congressional member. Beth Bernstein from  
15 Columbia. Jason Elliott, who came in on two  
16 wheels to be with us this evening from  
17 Greenville. And Mr. Weston Newton to my  
18 immediate left from Beaufort County, South. And  
19 I've been neglecting to introduce the judicial  
20 legal counsel, Ms. Emma Dean and she will be  
21 upset with me for introducing her tonight, I  
22 would think so. But thank you, thank you all for  
23 members of the committee for being here. Also, I  
24 want to also introduce, I see some of our friends  
25 from the Legislature. I think Colonel Ligon, I

1 think you were the first to arrive,  
2 Representative Randy Ligon. Thank you.  
3 Representative John King, I think you came in  
4 next. And then our favorite Speaker Pro Tem,  
5 Tommy Pope. Thank you for being here tonight.  
6 Thank you, sir. All right. And most  
7 importantly, thank you folks for coming out  
8 tonight. Let me just give you a little  
9 background about what we're doing. These  
10 hearings are really key ingredients in the  
11 process of redistricting in South Carolina, both  
12 here tonight and in other scheduled public  
13 hearings. I think this is our third hearing of  
14 ten scheduled hearings across the state. We the  
15 members of this Redistricting Ad Hoc Committee  
16 are seeking your input and insight into the  
17 process of redrawing our districts in order to  
18 accommodate the tremendous growth in South  
19 Carolina since 2010. The public's input is a  
20 crucial consideration of this committee as we  
21 formulate a proposed plan for presentation to the  
22 House Judiciary Committee and ultimately, adopt a  
23 plan for consideration by the full House of  
24 Representatives. We recognize that this is not a  
25 insubstantial task to redraw legislative and

1 congressional district lines. The Judiciary  
2 Committee may or may not adopt the plan proposed  
3 by this Ad Hoc Committee. So to, the full House  
4 of Representatives may or may not adopt the plan  
5 proposed by the full Judiciary Committee. Unlike  
6 prior redistricting cycles, the plan that gains  
7 approval of the House and later the Senate is no  
8 longer subject to advanced clearance by the  
9 United States Department of Justice. This is  
10 because in the decades since the last  
11 redistricting cycle, the law surrounding  
12 redistricting has continued to evolve and in  
13 2013, the United States Supreme Court struck down  
14 a requirement of the Voting Rights Act that  
15 required some states to have Federal preapproval  
16 of redistricting plans. Although, we no longer  
17 have pre-clearance obligations we do have the  
18 benefit of working from a redistricting plan that  
19 was both approved by the DOJ in 2011 and  
20 withstood challenge and scrutiny through Federal  
21 litigation which resulted in an affirmance of the  
22 district lines as currently drawn. Another  
23 difference, from prior redistricting cycles that  
24 warrants mentioning is, of course, well known to  
25 us all, is the unprecedented times that the

1 Coronavirus and how it continues to impact our  
2 country and our state. Due to the disruption of  
3 the pandemic, the U.S. Census Bureau has been  
4 very delayed in the release of the 2020 census  
5 data, which, of course, has impacted the timing  
6 of redistricting in South Carolina. As I  
7 mentioned during our first committee meeting in  
8 early August, once the U.S. Census Bureau  
9 releases the final data in or about September  
10 30th, we will begin the map drawing process for  
11 the House. Although, we are happy to receive  
12 your proposed plan submissions at our website,  
13 that may actually use the legacy data format.  
14 The House will wait until the U.S. Census Bureau  
15 publishes the final data and we have verification  
16 that it is unchanged from the early release  
17 information before we enter in the map room.  
18 Just to clarify from the legacy data to the final  
19 data which will come out in a few weeks. As the  
20 House undertakes the process of redrawing  
21 district lines, public input is indispensable to  
22 ensuring our districts best represent the people  
23 of South Carolina. We truly are the house of the  
24 people. We want your input on specific issues or  
25 concerns in your communities and in your

1 neighborhoods as in previous redistricting cycles  
2 our committee has adopted a set of criteria to be  
3 used as guide posts in the development of a  
4 proposed plan and redrawing of the district  
5 lines. The fundamental goal of this committee  
6 and of the House is to adopt the plan that  
7 ensures South Carolina's Legislative Districts  
8 provide for equal voting rights. Traditionally  
9 referred to as the, "one person, one vote"  
10 principle. As applied to the redistricting plan,  
11 our districts should be of substantially equal  
12 population. While the population directive is  
13 important, we're here tonight because the  
14 committee needs to hear from our constituents,  
15 the South Carolina voters. How do you identify  
16 or define your communities? We welcome your input  
17 on the important social, cultural and historical  
18 context as to how you describe your community so  
19 that we can better understand the commonality and  
20 connections that matter to our citizens. This  
21 hearing is being recorded and it will be  
22 transcribed and made available to the public.  
23 For the sake of order and a clear record, we ask  
24 that anyone desiring to speak tonight, please  
25 first sign in, if you have not already done so.



1 And when you are called, please come to the  
2 microphone to introduce yourself by your name,  
3 address and the district or districts about which  
4 you plan to speak. Also, if you are present  
5 tonight on behalf of a group, please identify the  
6 group on whose behalf you are appearing, be it a  
7 political party or public interest group or other  
8 organization. Also, I want to make sure everyone  
9 understands in advance, we are here to receive  
10 information and provide a forum for the public to  
11 express to the committee what the issues or  
12 concerns that you have related to redistricting.  
13 While I or other members of the committee may  
14 occasionally make a comment or ask a question, we  
15 will strive to limit our speaking so that we can  
16 hear from you. If you plan to leave any written  
17 documentation with the committee, we will be  
18 happy to include it in the permanent record and  
19 we ask to ensure you are identified on the  
20 document along with your mailing address, put  
21 your name on that. Sticky notes are available at  
22 the submission box for your convenience in  
23 labeling the documents. Also, testimony can be  
24 mailed to our website, that's  
25 [redistricting@schouse.gov](mailto:redistricting@schouse.gov) or mailed to House

1           Judiciary and that's at 512 Blatt Building and  
2           that's 1105 Pendleton Street, Columbia, South  
3           Carolina 29201. We appreciate the opportunity to  
4           be here in your community and look forward to  
5           hearing from each of you that wish to testify and  
6           as I started, thank you for coming out tonight.  
7           We are a bipartisan committee that comes from all  
8           over the state, as I said earlier. And we are  
9           looking forward to hearing from you this evening.  
10          So, first up this evening is a familiar name to  
11          us and that would be Representative John King.

12       MR. KING: Mr. Chairman and committee members, good  
13          evening. Being the only African American in a  
14          13-member delegation, I stand before you in  
15          referencing to redistricting and the effects on  
16          people of color. With the start of a new decade,  
17          the Census Bureau sought to catalog the diversity  
18          of a growing South Carolina. A South Carolina  
19          that added 5.1 more citizens to its population  
20          since 2010. York County has grown 23.9 percent  
21          since then. However, it is plausible to assert  
22          that the Census count in South Carolina was  
23          efficient. The Trump administration sought to  
24          prevent or hinder every effort to ensure a  
25          balance and fair Census process by launching

1 dozens of lawsuits to derail and delay the count.  
2 Additionally, with the Covid 19 pandemic and the  
3 barriers caused by our inadequate broadband  
4 infrastructure, it is concerning that those who  
5 hold majority power in the South Carolina General  
6 Assembly wish to go forward with redistricting  
7 efforts without adequately adjusting the  
8 deviation to account while a deficient Census  
9 count. The five percent deviation set forth is  
10 arbitrary. Undergoing the redistricting process  
11 without raising the deviation is detrimental to  
12 our rural and racial minority communities ability  
13 to elect their preferred candidates of choice.  
14 Ten percent deviation is reasonably standard and  
15 acceptable under case law. For many rural  
16 counties, less than half of residents couldn't  
17 send in their self responses at all. Be it  
18 through household calls or the internet.  
19 Governor Henry McMaster, himself has made it  
20 clear that one of South Carolina's biggest  
21 failures was to leave our most vulnerable  
22 communities in the dust when it comes to the  
23 daily necessities that is like the internet  
24 access and our age. Earlier this summer,  
25 Governor Henry McMaster's Office of Regulatory

1 Staff stated that more than 189 household units  
2 in our state are without broadband access and  
3 nearly half a million of South Carolinians do not  
4 access the -- do not have access to reliable  
5 high-speed internet of any kind. The U.S. Census  
6 shows that minorities now populate more than a  
7 third of our state. Yet our legislature does not  
8 reflect these growths. The Census highlights the  
9 unrepresentation of those of Hispanic origins.  
10 According to the Census Bureau, 36 percent of  
11 non-respondent Hispanic households never received  
12 a follow up by the Census counters. Suppose we  
13 are going to focus on re-apportionment districts  
14 at every level of our state. In that case,  
15 first, we need to acknowledge that a five percent  
16 deviation is arbitrary and one that does not take  
17 stock -- stake of what South Carolina is. A  
18 diversified population that deserve equitable and  
19 equal representation. We must establish a ten  
20 percent deviation to adequately adjust for the  
21 importance of our state and how the Census was  
22 taken. I wrote this down today or typed it up  
23 because I know we were on a time frame and you  
24 know I can talk a little longer. But I really  
25 hope that you all take what I've said and

1 understand that it is important to communities of  
2 color and minority communities that are under  
3 represented in the Census that we do move that  
4 from five percent to ten percent. Thank you.

5 CHAIRMAN JORDAN: Thank you Representative King.

6 Next up, Ms. Angela Douglas.

7 MS. DOUGLAS: Good evening. Thank you so much for  
8 allowing us to speak today. My name is Angela  
9 Douglas, 105 Cushman Drive, Chester, South  
10 Carolina. I'm here. I'm a political scientist  
11 and a former city council representative for the  
12 City of Chester. But I'm here to represent the  
13 face of the new -- the home of the new  
14 manufacturing in South Carolina, along the I-77  
15 corridor. The middle C between Charlotte, North  
16 Carolina and Columbia, South Carolina. Many of  
17 you probably have seen Chester along the road as  
18 you pass by. But most of you probably have not  
19 stopped in. Chester is a very small rural  
20 community. Although, I'm saying I'm representing  
21 Chester, but there are so many Chester's across  
22 South Carolina that get neglected, that don't get  
23 stopped in, don't get the attention from all of  
24 you throughout the cycles. So, I wanted to come  
25 here today just to remind you that we exist.

1 Almost 85 percent of the state looks like  
2 Chester. We are not all  
3 Columbia/Charleston/Greenville/Horry counties.  
4 We are the Chester's, the Fairfield's, the  
5 Bamberg's, the Colleton's of South Carolina.  
6 Redistricting has been, you know, always been  
7 very politically charged. It's suppose to be  
8 designed to be fair to allow us an opportunity to  
9 reassess every ten years or so. But that has not  
10 always been the case. It has been a game of  
11 political numbers. It has been a game where we  
12 have chosen our voters, based on the incumbency,  
13 based on our political enemies, and we should not  
14 allow that -- those kinds of games to continue.  
15 Particularly when it is becoming so detrimental  
16 as Representative King just talked about. A lot  
17 of these rural areas, if he's talking about York  
18 County, just imagine what some of these rural  
19 areas look like in terms of being able to access  
20 the internet to complete the Census. And just  
21 about anything else that they need. Our schools  
22 are suffering right now because of Covid 19 and  
23 the inability to adequately access broadband and  
24 internet. Also, with the small rural  
25 communities, we get pinched on. We get pinched

1 on so much. One example, in particular is  
2 District 29, Dennis Moss now represents that  
3 district. No one can answer for me, other than  
4 it's in the numbers, why 2,523 people from  
5 Chester County needs to be represented by  
6 District 29. It just does not make sense. It  
7 only makes sense that someone came up with a  
8 formula and said, we just need 523 more people to  
9 put into this seat and we don't care where we  
10 take it from. So, take it from Chester, they  
11 don't care, they don't mind, they're just, you  
12 know, a small rural community. But I'm here  
13 letting you know that small rural communities  
14 make up the state. Diverse communities like  
15 Chester make up the state. We refuse to be  
16 forgotten and if I have to stand here alone and  
17 represent all of those people, then I will  
18 continue to do that and not let you forget  
19 either. Thank you.

20 CHAIRMAN JORDAN: Thank you, Ms. Douglas. Next we  
21 have Mr. John Kraljevich. Yes, sir and that's a  
22 great -- before we go any further Representative  
23 King, thank you for -- if you do have a written  
24 or typed out and if you'll get it to Jimmy there.  
25 We would appreciate it if you do have that. We

1 can make it part of the record. And if anyone  
2 doesn't have that but has it at home in an email,  
3 certainly feel free to email that to us as well.  
4 All right. Yes, sir. How close did I get on  
5 your last name?

6 MR. KRALJEVICH: Not particularly close, but I'm used  
7 to it. It's all right. It's John Kraljevich. I  
8 appreciate the opportunity to speak ladies and  
9 gentleman. Thank you for coming up here to York  
10 County. I'm the chair of the York County  
11 Democratic Party, but I speak today as a resident  
12 of unincorporated York County in the vicinity of  
13 Fort Mill, it's 29708, is our zip code on the  
14 west side of I-77. And if you look at the chart  
15 of the largest state house districts, as they're  
16 currently constituted before redistricting.  
17 Three of the six, largest by population, are  
18 right along the border here, right along the  
19 border in York County, facing against Charlotte.  
20 We've got District 45, District 26 and District  
21 48 representing, more or less the greater Fort  
22 Mill area. Obviously, one touch is Indian Land  
23 or Lancaster County, it crosses the county line.  
24 And then we've got Representative Brian's current  
25 district which incorporates a little bit of



1 unincorporated York County, some but not all of  
2 the City of Tega Cay and then some of the City of  
3 Rock Hill on the other side of the lake. If you  
4 take those three districts and their gross  
5 populations and your target populations for house  
6 districts after this redistricting process, they  
7 basically come out to about 4.2 house districts.  
8 So, somewhere we're going to end up in that band  
9 of high population districts with some very large  
10 districts. I know y'all have a five percent  
11 gimme on one side or another. We're going to end  
12 up with packed districts, the growth is going to  
13 continue to come. And that growth is going to  
14 continue to come closest to our state border.  
15 You can look at the map, you can look at the  
16 trends and you can see that the growth in York  
17 County is not going to rural parts of the county  
18 in south or west. It's not going south of Rock  
19 Hill, it's principally going right along the  
20 state border. So, as these lines are drawn, I  
21 just ask you to think about the contiguousness of  
22 things like the Fort Mill school district, which  
23 is currently broken up into three different  
24 districts. You've got two of those three large  
25 districts that are broken up into multiple

1 municipalities. And recognize that as that  
2 growth continues, there are some areas that are  
3 going to balloon, which is how we end up with  
4 Representative Newton's current district holding  
5 almost 65,000 residents and other areas aren't.  
6 So, I would ask you to draw those maps with an  
7 eye, not just on 2021 and your current goals but  
8 what these districts will look like as we  
9 approach 2030. That's all I've got for you all.  
10 I very much appreciate you coming up here to see  
11 us. Thank you.

12 CHAIRMAN JORDAN: Thank you, sir, very much. Next  
13 up, Mr. William Christopher.

14 MR. CHRISTOPHER: Thank you very much ladies and  
15 gentleman and the Chairman for making the effort  
16 to be here today. I know it's a rigorous effort  
17 and quite an extremely busy tour that you have.  
18 Some of you might remember me from being a  
19 reporter at the State House until a few years  
20 ago. I'm helping a group now called Carolina For  
21 All and we're very much concerned about voting  
22 access and redistricting as well. Primarily,  
23 we're just asking you to be consistent when you  
24 consider the county lines and city lines and not  
25 divide any communities, which should not be

1 divided if it weren't for outside pressures. We  
2 understand the difficulty of having to balance  
3 development and certainly coming out of Charlotte  
4 it's an intense development now, with the 17th  
5 fastest growing city in the nation. Charleston,  
6 also is remarkably just exploding. I don't  
7 remember it -- it's not the same thing that I saw  
8 when I was a kid, no doubt about that. It's  
9 certainly changed. But it has to be a balance  
10 between development and running people off of  
11 their lands due to tax changes and not being fair  
12 to communities. Some of the people in these  
13 rural areas that Ms. Douglas referred to, as a  
14 matter of fact, have been on those properties for  
15 more than a 100 years and they're great ancestors  
16 farmed those properties, a few of them still do,  
17 even at part-time. And we ask you to please  
18 consider those specifics when you make these  
19 extremely important decisions. Thank you.

20 CHAIRMAN JORDAN: Thank you, Mr. Christopher. Next,  
21 Mr. Steve Yaffe. You know you have some nights  
22 where you get all the names just right.

23 MR. YAFFE: All right. I appreciate the opportunity  
24 to testify and my message is concise. Keep  
25 neighborhoods, office and industrial and

1 educational parks, colleges and communities  
2 whole. Representative democracy is a joke, if  
3 one can't ask a neighbor who his or her  
4 legislators are as the boundary could be on your  
5 property line. Representative democracy is a  
6 joke, if no single legislator has responsibility  
7 for a neighborhood or a community or college,  
8 industrial park, warehousing campus.  
9 Neighborhood boundaries are on file with every  
10 local jurisdiction, there's no mystery to it.  
11 So, I have a question for you, why is South  
12 Carolina the only state to have absolutely no  
13 rules by which to redistrict? Do you consider  
14 yourselves bound to the two rules that we usually  
15 hear about, "one person, one vote" and non-  
16 discrimination against minority groups. If so,  
17 add a third, don't split neighborhoods or  
18 campuses whether they be devoted for education or  
19 office or industrial or warehousing, keep them  
20 whole so that representative democracy makes  
21 sense. And end the scalpel that's used to carve  
22 out people in certain neighborhoods. Thank you.

23 CHAIRMAN JORDAN: Thank you, sir. All right. Has  
24 anyone -- did anyone not sign up who wished to  
25 speak this evening? All right. Well, that

1 concludes the public testimony. We've heard from  
2 everyone who has signed up this evening. I'll  
3 say thank you again to the membership of the  
4 committee. I think Representative Newton, you  
5 win the longest travel this evening. So, you  
6 knocked our friend from Pickens out of the  
7 equation tonight. He'd been on the run. And  
8 then I want to say thank you to the members of  
9 the communities that thought enough of this  
10 process to come out and put your two cents into  
11 what we're going to try and do going forward. I  
12 can promise you as I said before, it's a crucial  
13 ingredient into the redistricting process. So,  
14 we sincerely thank you for giving up your time on  
15 a week night to come out. Our next stop will be  
16 tomorrow night in Greenville. So, I look forward  
17 to seeing the members of the committee there.  
18 Thank you so much for your hospitality here in  
19 York County. Thank you to York Tech for such a  
20 great venue. Also, thank you, I do need to make  
21 that aware, if you chose not to speak this  
22 evening, but you want to get your thoughts  
23 together. You will have another opportunity.  
24 Our last meeting will be October 4th, at 4:30.  
25 We'll be in Columbia. But the key item there is

1 that will be our technology meeting. We'll be  
2 able to stream in anyone that wants to  
3 participate via teams and plan on making that  
4 meeting available to anyone who wants to  
5 participate throughout the state via technology.  
6 I think I've covered all the key ingredients now.  
7 So, with that, we'll adjourn for the evening.  
8 Thank y'all.

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1 STATE OF SOUTH CAROLINA )  
2 ) CERTIFICATE  
3 COUNTY OF LEXINGTON )  
4

5 I, the undersigned, Barbara S. Ham, Notary Public in  
6 and for the State of South Carolina, do hereby certify that  
7 a digital recording was provided to me by Garber Reporting  
8 Service;

9 That the foregoing was transcribed by me, to the best  
10 of my ability.

11 I further certify that I am neither counsel nor  
12 solicitor to any of the parties, nor interested in the  
13 event of the cause.

14 In witness whereof, I have hereunto set my hand and  
15 seal this 24th day of September, 2021.

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*Barbara S. Ham*

Barbara S. Ham  
Notary Public for South Carolina  
My Commission Expires: 04/13/2026

<hr/> <b>1</b> <hr/>	<b>29708</b> 15:13	<hr/> <b>8</b> <hr/>	<b>adjusting</b> 10:7	<b>arbitrary</b> 10:10 11:16
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