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## AUDIO TRANSCRIPTION

*September 20, 2021*

**SC HOUSE JUDICIARY COMMITTEE**

**Aiken Redistricting Hearing**

REPORTER: Barbara Ham

1 STATE OF SOUTH CAROLINA

2 COUNTY OF AIKEN

4 HOUSE JUDICIARY COMMITTEE

5 REDISTRICTING AD HOC SUBCOMMITTEE

7 CHAIRMAN:

8 Jay Jordan

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

19 DATE: September 20, 2021

21 LOCATION: Aiken Tech Amphitheater

22 2276 Jefferson Davis Highway

23 Building 700/800

24 Graniteville, South Carolina

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1 MR. CHAIRMAN: Thank you to the good folks here at  
2 Aiken Tech for making this space available to us  
3 so that we could come out tonight and discuss  
4 such an important issue. I want to welcome or  
5 introduce to you the members of our committee.  
6 First up, literally walking down the aisle now to  
7 much fanfare, my good friend, Justin Bamberg,  
8 from Bamberg, South Carolina. I never knew you  
9 were so popular in Aiken. Next up, Neil Collins  
10 from Pickens. Pat Hennigan, my good friend from  
11 Marlboro. Next to her, Mr. Weston Newton from  
12 Bluffton, South Carolina. And then we have Ms.  
13 Beth Bernstein from Columbia. And then, of  
14 course, Jason Elliott from Greenville. And y'all  
15 are the nicest crowd that we have met yet. So,  
16 we are really excited to be with y'all this  
17 evening. This is, I'll tell y'all, this is our  
18 seventh meeting. We started in Myrtle Beach on  
19 September the 8th. Before this meeting, we were  
20 in Bluffton last week Representative Newton  
21 hosted us down there, it was a beautiful place.  
22 And then, of course, we have two more meetings  
23 that are on our road tour. We'll go to Greenwood  
24 tomorrow night and then Orangeburg and then,  
25 actually, I'll go ahead and tell y'all, we're

1 going to add a meeting to the schedule on  
2 September the 28th at 4:30 in Columbia, and then  
3 we have our final meeting October the 4th at 4:30  
4 in Columbia and both of those meetings will be  
5 virtual opportunities. So, let me -- let's do  
6 some housekeeping issues. First, thank y'all  
7 again for participating in what truly is such an  
8 important legislative process. These hearings  
9 are really key ingredients in the process of  
10 redistricting in South Carolina. As I've already  
11 told you both here tonight and in other scheduled  
12 public hearings, we, the members of this  
13 committee, are seeking your input into the  
14 insight and process of redrawing our districts in  
15 order to accommodate the tremendous growth that  
16 we've seen in South Carolina since the 2010  
17 Census. Your input, the public input, is really,  
18 as we go to formulate the proposed plan that we  
19 will ultimately present to the House Judiciary  
20 Committee and then onto the full House of  
21 Representatives, as I say, is such a key  
22 ingredient. Certainly, we recognize that this is  
23 not an insubstantial task to redraw the  
24 legislative and congressional lines here in South  
25 Carolina. The Judiciary Committee may or may not

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

1 both our country and our state. Due to this  
2 disruption of the pandemic, the Census Bureau  
3 has, of course, been extremely delayed in the  
4 release of the 2020 Census data which, of course,  
5 has impacted redistricting here in South  
6 Carolina. As I mentioned during our first  
7 committee meeting in early August, once the  
8 Census Bureau, which it actually released its  
9 final data a little bit ahead of schedule just  
10 very recently, we will then be in a position to  
11 engage in the map process for the House.  
12 Although we are certainly happy to receive  
13 proposed planned submissions at our website, the  
14 House will wait, of course, until we're able to  
15 digest that final data and verify and put it  
16 through the verification process that is  
17 unchanged from the prior release before we begin  
18 actually mapping and drawing and considering  
19 plans. As the House undertakes the process of  
20 redrawing district lines, public input is  
21 indispensable to insuring that our districts best  
22 represent the people of South Carolina. We are  
23 truly the House of the people. We want your  
24 input on specific issues or concerns in your  
25 communities and in your neighborhoods. As in

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

1 microphone, introduce yourself by your name,  
2 address and the district or districts about which  
3 you plan to speak. If you are present tonight on  
4 behalf of a group, please identify the group on  
5 whose behalf you're appearing be it a political  
6 party, public interest group or other  
7 organization. I also want to make sure everyone  
8 understands in advance that we are here to  
9 receive information and provide a forum for  
10 public input to express -- express to the  
11 committee what the issues or concerns that are  
12 related to redistricting. While I and other  
13 members of the committee may occasionally make a  
14 comment or ask a question, we will strive to  
15 limit our speaking so that we can maximize the  
16 time available to you. Traditionally, we ask  
17 folks that testimony be limited to five minutes.  
18 I would just ask you to consider, we don't have a  
19 huge crowd tonight, so I don't think we'll have  
20 any trouble giving everyone the opportunity to  
21 say what they need to say this evening.  
22 Certainly, if you plan to leave any written  
23 documentation with the committee, we're certainly  
24 happy to include that in the permanent record.  
25 We ask that, to insure you are identified on the

1 document along with your name, your mailing  
2 address, please, and we have some sticky notes  
3 available for that as well that are at the  
4 submission box. And, certainly, testimony can be  
5 emailed to our website. That's at  
6 Redistricting@schouse.gov or you can mail it  
7 directly to us and that's at House Judiciary and  
8 that's 512 Blatt Building, 1105 Pendleton Street,  
9 Columbia, South Carolina 29201. And I will wrap  
10 up where I started by telling you how much we  
11 appreciate you coming out and participating with  
12 us. I forgot to introduce Emma Dean, and she  
13 probably likes it that way, but she's our chief  
14 Legal Counsel from House Judiciary Hearing  
15 helping us out as well. I think that's it. So,  
16 with that, first contestant this evening, first  
17 batter up, Ann Willbrand.

18 MS. WILLBRAND: Thank you for having this hearing. I  
19 am Ann Willbrand. I live at 2057 Dibble Road  
20 Southwest in Aiken. I am in House District 81,  
21 and I also want to make a few remarks about the  
22 Second Congressional District. I am the Second  
23 Vice Chair of the Aiken County Democratic Party  
24 although I'm speaking tonight as an individual,  
25 not representing the party. For all practical

1 purposes, I consider myself a disenfranchised  
2 voter. I've lived in Aiken for 36 years and have  
3 voted in almost every election. Usually, with  
4 the exception of the top of the ticket, I go  
5 through the motions and leave a lot of races  
6 blank since the majority of the offices on my  
7 ballot are uncontested. To me this means that  
8 the candidates, particularly incumbents, have  
9 just blocked their seat for that term when  
10 they've paid their filing fees. They don't have  
11 to campaign, attend candidate forums or debates  
12 or do any work for the privilege of serving.  
13 There is no real accountability to the voters.  
14 This is not how a Democratic Representative  
15 Constitutional Republic is supposed to work. I  
16 know this arises to some extent from housing  
17 patterns and non-political issues that we can't  
18 do much about it in the short term. However,  
19 some of it is due to intentional gerrymandering  
20 which I believe is wrong. For example, in House  
21 District 81, over the past 25 years, five people  
22 have held that seat; yet, only one race in 2018  
23 was contested, and it was hardly competitive  
24 since there was a 26 point difference in the  
25 outcome and 44 percent of the voters voted

1 straight party Republican. In Aiken County,  
2 about 80 percent of the ballots cast are straight  
3 party, about 45 percent Republican, 35 percent  
4 Democrat. Not only do the voters not have  
5 choices for most races, but they are also  
6 basically voting on autopilot since there's no  
7 reason to be informed about or interested in  
8 local elections and who is running when there are  
9 no contests. Straight party voting should be  
10 repealed. One party government is anti-  
11 Democratic, silence is minority voices is more  
12 likely to lead to a lack of accountability and  
13 corruption, reduces the chance of compromise on  
14 difficult issues and can lead to extreme  
15 legislation that denies civil and human rights  
16 based on flat ideologies. I hate to say it, but  
17 it makes our elections look a lot more like the  
18 phony show elections held in one party  
19 authoritarian repressive regimes like Cuba and  
20 Hungary, them being exemplary of how the  
21 Democratic principles we espouse as citizens of  
22 the United States. I would like to see all  
23 districts from municipal to congressional drawn  
24 by a non-partisan commission as proposed in  
25 Senate 750 and House 40229 to provide the most

1 fair representation for everyone. The State  
2 typically votes 55/45 to 60/40 Republican to  
3 Democrat Presidential and Gubernatorial elections  
4 yet there is only one Democrat and six  
5 Republicans in our Congressional delegation.  
6 Aiken County typically votes about 65/35  
7 Republican to Democrat and the State House  
8 delegation and County Council should reflect that  
9 balance but neither does. In each cycle, there  
10 are at most two to three truly competitive races  
11 where the margin is less than five points out of  
12 170 seats in the General Assembly. That is un-  
13 Democratic, embarrassing, disgusting and totally  
14 unacceptable. The only way to have free and fair  
15 elections is to put the emphasis on having as  
16 many competitive compact districts as possible  
17 that represent the communities of interest and  
18 don't split district lines. For example, why is  
19 part of Orangeburg County in the second  
20 Congressional District when Orangeburg and Aiken  
21 Counties share little or nothing in common? The  
22 border is out in the most rural part of the  
23 county. They are not even in the same media  
24 market. Why not put all of Orangeburg in the  
25 sixth district and add Edgefield and perhaps

1 Saluda Counties to the second? Aiken and  
2 Edgefield Counties share three State House seats  
3 and many Edgefield residents, particularly in  
4 North Augusta, work in Aiken County. That is a  
5 connection that should be recognized by  
6 representation when drawing the Congressional  
7 district lines. Please do the right thing for  
8 the citizens of South Carolina. Put petty  
9 partisan politics aside and pass these bills that  
10 require non-partisan commission to draw the most  
11 competitive districts possible for every office  
12 in an open process. Voters should be selecting  
13 their elected officials in robust contested  
14 elections and not the other way around where  
15 elected officials select their contestants and  
16 take them for granted. If you're doing your job  
17 well, then you should be able to make the case  
18 and shouldn't have to worry about being re-  
19 elected even if you have opposition. But having  
20 opposition can go a long way to call out  
21 shortcomings and to require more accountability.  
22 This is the least that every citizen should  
23 expect and demand to preserve a Democratic  
24 process. Thank you.

25 THE CHAIRMAN: Thank you. Donna Westby.

1 MS. WESTBY: Good evening. Good evening.

2 THE CHAIRMAN: Good evening.

3 MS. WESTBY: Thank you. My name is Donna Moore

4 Westby and I reside in District -- House District

5 81 and Congressional District 2 right here in

6 Aiken, South Carolina, and I certainly thank you

7 all for coming out on this rainy Monday evening.

8 I represent a fairly new organization entitled

9 Umoja Village which is a South Carolina charity

10 as well as a 501(c)(3) tax exempt organization.

11 Umoja Village is a strategic alliance of blacks

12 and African Americans united to leverage our own

13 gifts, talents, skills, votes, to improve the

14 lives specifically of those who have been

15 marginalized, disenfranchised, subjected to

16 inequalities as well as racial prejudice and

17 discrimination. I can stand here and tell you

18 that the Equal Protection Clause in the

19 Fourteenth Amendment limits racial gerrymandering

20 with regard to race, but I won't do that. I

21 could stand here and tell you that Section 2 of

22 the Voting Rights Act prevents the use of

23 district lines that deny minority voters an equal

24 opportunity to participate in the political

25 process and to elect representatives of their

1 choice, but I won't do that. I could also tell  
2 you tonight that engaging in packing and cracking  
3 with regard to drawing these lines definitely  
4 does not lend itself to transparency and a good  
5 redistricting plan, but I won't do that. But  
6 what I will do is something perhaps you've not  
7 heard in the other seven or eight meetings that  
8 this body has participated in. For me,  
9 everything I do, every decision I make, is one of  
10 morality. Every decision that I made when I was  
11 elected to the Aiken County Board of Education,  
12 when I served on our Hospital Board here, when I  
13 served on our College Board here and now as I run  
14 an FM gospel radio station, has to deal with  
15 morality. Because I have to be able to sleep at  
16 night knowing that I have not done the right  
17 thing, but I have done the righteous thing.  
18 Because the word of God that I read and that I  
19 believe and perhaps those of you who consider  
20 yourselves a Christian would also have seen that  
21 there is a way that seems right to man, but in  
22 the end, it leads to destruction. What I  
23 encourage you to do, as elected officials, is to  
24 put others' needs above yourself, to not be  
25 tempted to provide recommendations that limits

1 the possibility of minorities electing people of  
2 their own interests, of their backgrounds. I ask  
3 that you consider culture, that you consider  
4 those boundaries that protect a community. That  
5 you expand the opportunity for those who have  
6 been disenfranchised to be a part of the process.  
7 Why do you do what you do? Is it for power? Is  
8 it for fame? Is it for fortune? Is it for  
9 greed? That is for each of us in this room to  
10 ask ourselves. But for those of you who are  
11 elected officials, it is also for you to ask  
12 yourself that question, because you are here to  
13 represent what's best for the people as well as  
14 what's best for the state of South Carolina. If  
15 you have done your jobs, then you should not have  
16 to worry about gerrymandering or drawing lines  
17 that protect you as an incumbent, because the  
18 voters will recognize that and will put you back  
19 in office. So, for me, again, every decision I  
20 make has to do with who I'm ultimately  
21 accountable to and that is my God, because in the  
22 end, there is a way that seems right to man, but  
23 let it not lead to destruction. Please make  
24 righteous decisions, not decisions that protect  
25 you or your friends or buddies, but that's going

1 to be in the best interest of all citizens so  
2 that everyone has an opportunity who wants to  
3 participate in this process can and do it without  
4 evading the law as, unfortunately, we've seen at  
5 the very high level that there are those who  
6 believe they are above the law. Thank you so  
7 much for your time.

8 MR. CHAIRMAN: Thank you, Ms. Westby. Eugene White.

9 MR. WHITE: Good evening. My name is Eugene White.

10 I am the President of the Aiken County branch of  
11 the NAACP. I reside at 130 Stillwater Road in  
12 Windsor, South Carolina, and I'm going to talk  
13 about Congressional District 2, House District  
14 81, House District 83 and House District 84.

15 Good evening, I'm Eugene White, the President of  
16 the Aiken County branch of the NAACP and  
17 appreciate this opportunity to testify this  
18 evening. I certainly appreciate all the public  
19 participation who felt it of value to come out  
20 and participate in this discussion about this  
21 very, very important issue. In particular  
22 tonight, we appreciate the participation of our  
23 partners, the League of Women Voters, the Umoja  
24 Village and Delta Sigma Theta Sorority,  
25 Incorporated. All of us together are going to

1 talk about various things. You just heard my  
2 colleague talk about -- talk from Umjua Village,  
3 but at the end of it, the Ad Hoc Committee should  
4 have a very comprehensive list of all the issues  
5 of concern for our community. I'm personally  
6 going to start off by talking about communities  
7 of interest, one-person, one-vote and then,  
8 finally, close out with some recommendations that  
9 you may want to consider as you go forth and you  
10 do your work. So, let's begin. Community of  
11 interest is defined as a collection of  
12 individuals with common legislative concerns and  
13 goals. A community of interest should not be  
14 based on political party, political candidates or  
15 the protection of incumbents, but rather we'd  
16 like the Ad Hoc Committee to consider communities  
17 of interest to be and to respect the traditional  
18 jurisdictional boundaries of our counties, of our  
19 municipalities and our precincts, thus allowing  
20 these communities of interest to address the  
21 issues that are of interest to them, such as  
22 gentrification, school choice, at-large voting,  
23 senseless crime. Shifting gears, the one-person,  
24 one-vote principle calls out the Equal Protection  
25 Clause in the United States Constitution which

1 says that legislative voting districts should be  
2 approximately the same size with respect to  
3 population. This is based on the principle which  
4 is generally accepted in our country which says  
5 that one vote from one person is completely equal  
6 to the vote of another person and no one vote  
7 outweighs the other. And so we'd ask the Ad Hoc  
8 Committee to do their best and fight against the  
9 destruction of opportunity minority districts,  
10 create new ones where possible and to protect  
11 those communities of interest where applicable.  
12 As it relates to Congressional District 2, the  
13 current data says that there is a 1.28 percent of  
14 deviation from the ideal as it relates to  
15 population. We'd ask the Ad Hoc Committee to  
16 resolve that deviation. We recognize that  
17 adjoining districts have similar deviations, but  
18 please do your best to resolve that deviation in  
19 District 2. As it relates to House Districts,  
20 there are several issues of concern. Number one,  
21 the majority minority district in 82 must be  
22 protected. In addition to that, when you look at  
23 various districts across Aiken County, there are  
24 several examples of the African community --  
25 African American community, are being cracked and

1 divided. For example, in District 83 at the very  
2 bottom, the Carolina Heights precinct is split  
3 thus cracking an African American community.  
4 Moving over to the Breezy Hill precinct. You see  
5 the exact same dynamic that's happening in  
6 Districts 81 and 84. The Ad Hoc Committee should  
7 work very hard to resolve those issues. As it  
8 relates to deviation from the ideal, District 82  
9 must grow. It's currently outside of the  
10 parameters so we ask you to work hard to resolve  
11 that deviation. One idea may be to take the  
12 southern part of 39 and adjoin it to 82 which may  
13 help you to resolve that situation. We'd also  
14 like you to take special attention to the valley,  
15 the Midland Valley and North Augusta, because  
16 those are our growth areas here in Aiken County.  
17 And also pay special attention to FCI Edgefield,  
18 because that correctional facility, the  
19 inhabitants of that facility were counted as part  
20 of the population on Census day, but we know with  
21 the current voting laws in South Carolina on that  
22 day, they will not be allowed the opportunity to  
23 vote and that is so unfair on so many levels.  
24 So, we ask the Ad Hoc Committee to do your very  
25 best to address that issue. And so, finally, due

1 to the participation and the engagement that you  
2 see this evening, we'd like for you to continue  
3 to keep the public involved in this very  
4 important process, because who better than the  
5 public can decide that the maps that you draw and  
6 propose whether they will or will not allow the  
7 population of this community to choose their  
8 elected official. We understand the issues.  
9 We've been trained in data analysis, and we know  
10 how to draw the maps. So continue to bring us  
11 around the table as we work through this  
12 redistricting issue together. Thank you very  
13 much for the opportunity to testify, and we look  
14 forward to working with you.

15 MR. CHAIRMAN: Thank you for your testimony, Mr.  
16 White. Next up, Representative Lonnie -- well,  
17 I'm going to at least introduce you then. I was  
18 going to do that, but we do want to recognize  
19 Representative Lonnie Hosey who's a long-time  
20 member of the House. Thank you for being here  
21 tonight. Michelle Springstein.

22 MS. SPRINGSTEIN: I'm Michelle Springstein. I reside  
23 at 518 Brewer Drive, Aiken, 29803, and I'm  
24 speaking on behalf of myself and not the Aiken  
25 County Democratic Party. I always thought I

1 lived in a Democratic Republic until that is I  
2 moved to South Carolina. I always thought my  
3 vote mattered, and I subscribed to the belief of  
4 the Constitution's promise of one-man, one-vote.  
5 I have since found out that, unlike the other 50  
6 states, South Carolina has no law establishing  
7 criteria for creating congressional and state  
8 legislative districts. Rather, the legislature's  
9 main criteria is to make sure incumbents always  
10 win their seats. This is why State Legislators  
11 are never worried about losing their seats and  
12 don't feel accountable to their voters. By  
13 gerrymandering their districts, they are, in  
14 effect, picking the voters that will keep them in  
15 the legislature. I testify as being in House  
16 District 86 and Bill Taylor has been many years  
17 with no opponent. An article in the state  
18 newspaper on February 16th of this year says that  
19 South Carolina is ranked in the bottom tenth of  
20 the most educated states of all 50. According to  
21 world population review, it may not surprise you  
22 to note that South Carolina ranks ninth out of  
23 the ten states with the lowest life expectancy.  
24 Some of the factors considered are gender, access  
25 to quality healthcare, diet and nutrition and

1 crime rates. Other statistics for South Carolina  
2 include eleventh in the nation in deaths from  
3 domestic violence and fourth worse state in the  
4 nation for women's equality. Did you know that  
5 the 19th Amendment, which gave women the right to  
6 vote, was not ratified in South Carolina until 50  
7 years later than adopted in 1919? US News ranks  
8 South Carolina at 39th in economic opportunity.  
9 Factors for that ranking include households  
10 living below the poverty line, median income and  
11 households with food and security. Those factors  
12 indicate more than just lost economic  
13 opportunity. They highlight the lost  
14 opportunities, stability and health of the  
15 population in this state. These results show  
16 what decades of gerrymandering have done to this  
17 state. When women comprise more than half the  
18 population but are disproportionately under  
19 represented in this legislature at only 17  
20 percent in 2021, then South Carolina is  
21 hamstringing its own ability to move into the  
22 21st Century with a healthy, educated work force.  
23 When incumbents know they will never lose an  
24 election, this is what happens. Many legislators  
25 have been indicted for corruption in the past ten

1 years since the last redistricting, yet they  
2 still have raised lots of campaign cash. A 164  
3 out of 170 legislative races in the 2020 election  
4 were won by an incumbent. SC House and Senate  
5 have different guidelines for redistricting with  
6 the only caveat that incumbents win. But I  
7 believe the devastating consequences of  
8 gerrymandering are more than just these obvious  
9 ones. In the middle of a pandemic that already  
10 killed over 1000 of us in this state, the  
11 legislature spent time enacting laws for guns and  
12 against abortion. The legislature seems to care  
13 more for unborn fetuses than live school  
14 children. They enacted a ban on mask mandates  
15 for all schools in the state and refused to  
16 reconsider even when the deaths kept mounting.  
17 The legislature tried to refuse Federal help for  
18 housing, healthcare and jobs for those in the  
19 state losing their jobs and their lives. There  
20 are those in the legislature even now that say  
21 getting the vaccine is a personal choice when  
22 they have no problem making sure all school  
23 children are routinely vaccinated against  
24 measles, mumps, rubella, among other diseases. I  
25 believe that gerrymandering is the root cause of

1 this crisis in South Carolina. When votes are  
2 suppressed, the legislature is, in effect,  
3 passing laws that are not in the interest of the  
4 majority of South Carolinians. We need major  
5 reform of this redistricting cycle. There are  
6 two acts, S750 for the Senate and H4229 for the  
7 House that will address gerrymandering and give  
8 the power back to the voters to choose their  
9 representatives. The Act is called the South  
10 Carolina Fairness, Accountability and Integrity  
11 in Redistricting Act. Specifically, they  
12 establish an Independent Citizens Redistricting  
13 Commission of qualified voters chosen like a jury  
14 to draw election maps, mandate the state Ethics  
15 Commission to oversee the application and  
16 qualification process and randomly select members  
17 that accurately reflect the geographic and  
18 demographic makeup of the state. Mandate the  
19 Selection Commission would be independent of  
20 direct control or influence of any elected  
21 government official, politician or party,  
22 including the legislature and governor. Mandate  
23 that no one with a conflict of interest could  
24 serve in the commission. Mandate some strict  
25 criteria that would be followed to insure no

1 political party is given a disproportionate  
2 advantage. Mandate that the commission would be  
3 provided with the latest technology to accurately  
4 and fairly reapportion districts. So, I am  
5 challenging each of you to support making the  
6 redistricting guidelines the same for House and  
7 Senate and making them statutory. I am  
8 challenging you to apply redistricting guidelines  
9 in a fair, equitable and mandatory manner to  
10 insure that all votes have equal weight. Since  
11 past redistricting cycles, you have packed and  
12 cracked black districts to insure that black  
13 votes don't carry equal weight. Let's do it as  
14 right, fair and just in this state. Let's  
15 support an increase in voter participation and  
16 public debate on important state and local  
17 issues. All of us voters need to weigh in on  
18 mask mandates, vaccines, healthcare jobs and  
19 housing. All of us voters should support this  
20 fair process regardless of politics and party  
21 affiliation. Let's move South Carolina into the  
22 21st Century. Thank you.

23 MR. CHAIRMAN: Thank you, Ms. Springstein. I want to  
24 make sure that we are technically correct  
25 technology-wise. I think that we had a little

1 problem, but I think we're back on track. I'm  
2 getting a thumbs up so, great. Ms. Springstein,  
3 I'll use you as an example, if you don't mind. I  
4 think you had typed out your -- it would be  
5 helpful, if you didn't mind, for you to submit  
6 those.

7 MS. SPRINGSTEIN: And I have my name and address and  
8 email.

9 MR. CHAIRMAN: Perfect. And everyone else that  
10 wishes to do that, that would be helpful for the  
11 committee in compiling the record of what we've  
12 heard tonight, so. All right. Next, Karen Sisk.

13 MS. SISK: Hello.

14 MR. CHAIRMAN: Hello.

15 MS. SISK: I'm Karen Sisk. I reside at 4189 Snaffle  
16 Bit Drive here in Aiken, and I'm very happy to be  
17 before this committee today. It's an honor and a  
18 privilege, and I'm here as a private citizen and  
19 a representative of the League of Women Voters of  
20 Columbia. We're the largest -- one of the  
21 largest of the ten leagues here in South Carolina  
22 all of which support the non-partisan  
23 redistricting commission that has already been  
24 ruled out and yet we persist. We persist because  
25 in order for democracy to flourish, lines must be

1 drawn by people not by candidates. Because you  
2 have and will hear the same suggestions from all  
3 members of the audience and you already have  
4 heard that I want to offer some of my own  
5 thoughts to the committee about me personally.  
6 First, why did a little old lady who moved to  
7 Aiken to retire here with her husband of 50 years  
8 and her two horses and her two cats just to ride  
9 those horses, jump back into political life with  
10 the league? Well, why did I do that? I had the  
11 privilege and the time and the right to right  
12 some wrongs here, and I had the time to do it  
13 with the League of Women Voters, a non-partisan  
14 organization and here is a fight that I'm willing  
15 to take on, because it affected me personally.  
16 And I want to tell you about those ways that it  
17 affected me here in Aiken much in the same way  
18 that you've heard from a lot of the members of  
19 the audience. First, most elections here in  
20 South Carolina are decided either in the primary  
21 or they're unopposed. That's really, really  
22 frustrating to me. Second, my elected  
23 representatives have not really appeared that  
24 interested in my views or opinions and have not  
25 really been that available to me. You know, just

1 today I was looking on Facebook, and there was  
2 this meme that said, it was really cute, it said,  
3 what has ears but doesn't listen? Okay. Well,  
4 everybody knows, I mean, if you taught school  
5 like I did, that the answer is corn. Right? But  
6 some smart wit had written on there, my elected  
7 representatives. Well, that made me really,  
8 really sad, as it should make everybody in this  
9 room, because, you know, that's what the league  
10 does. We're all about getting everybody to  
11 participate, and I know that's what you're all  
12 about, because we're all working on this  
13 together, and that's what everybody in this room  
14 is all about. We're all really trying to make  
15 this happen, and that's what I'm really all about  
16 here. And then third, my ability to vote has  
17 been curtailed by election laws and parameters in  
18 ways unlike anyplace I've ever lived, and I've  
19 been really the beneficiary of a wonderful life.  
20 I've been a military child and wife, and so, I've  
21 lived all over the country and all over the  
22 world. And everywhere that I've lived, it's been  
23 easier to vote than in South Carolina, and it's  
24 getting worse not better. So, I just wanted to  
25 point that out. And number four, I've been

1 denied committee and commission posts and seen  
2 far less qualified people appointed to those even  
3 though I'm a non-partisan kind of person. And I  
4 can't really figure that out, because I've lived  
5 again a lot of other places and been very active  
6 in my communities, but it seems like, and this  
7 has gotten worse and it's not anybody's fault,  
8 but in the last few years, things, as you know,  
9 have gotten much more polarized and labeled. So,  
10 you know, I want that to change as all of us do.  
11 So, I found myself becoming more and more  
12 involved and getting off my horses and into the  
13 fray. Right? So, how do we, in the League of  
14 Women Voters, arrive at the stands that we take?  
15 Well, we do several things. First, we study.  
16 That's really important. We do a lot of  
17 studying. Then we come together and we discuss.  
18 And the final thing we do is we arrive at a  
19 consensus. Now, we've done this for 101 years.  
20 You heard Michelle say something about the  
21 Amendment in 1919 for women's right to vote, and  
22 that's where the League of Women Voters comes out  
23 of. And we've won a lot of lawsuits over the  
24 years to increase people's abilities to be able  
25 to vote, and we're going to win a lot more. We

1 persist. That's what we do. We do it to promote  
2 good governance. That's what we're all about.  
3 And you are all completely educated, the people  
4 in this room, and all of you committee members in  
5 the best practices of redistricting. I don't  
6 have to tell you all about those things. You  
7 know what you should be deciding. You know who  
8 should be deciding those lines, protecting the  
9 incumbencies is wrong and yet you do it. It  
10 doesn't matter whether you're in one party or the  
11 other. Everyone does it. Both parties do it  
12 consistently and religiously, but it's time to  
13 break that habit. The more people who can become  
14 involved in our process, the stronger our  
15 democracy will be. I ask you to make it possible  
16 for all people by drawing lines that include for  
17 the advice and consent of the minority and not  
18 just the majority to be involved. We need that  
19 non-partisan commission that everyone in this  
20 room has been talking about. This is a paradise  
21 of a state, and it needs to be protected from  
22 itself by forming a set of checks and balances  
23 that keeps all elected officials aware of their  
24 constituencies in all of their many needs and  
25 variants. I know this is a big ask, and the

1 political climate is all wrong. However, I also  
2 have learned that South Carolina is so special in  
3 many ways, and I believe that it can happen.  
4 Now, I sit there every day on that beautiful  
5 porch of mine and I watch my horses graze, and I  
6 believe that all women and men deserve the chance  
7 at that good life that I have been privileged to  
8 have here, and that is why I work for all of us,  
9 and I hope you will, too, by creating fair  
10 districts. Thanks for listening.

11 MR. CHAIRMAN: Next up, Nancy Desisto.

12 MS. DESISTO: Good evening. My name is Nancy  
13 Desisto. I live at 1597 Gray Mare Hollow Road in  
14 Aiken. I am grateful to all of you for your  
15 service and so grateful for you all being here  
16 tonight. Respectfully, South Carolina, maybe  
17 I'll put on my glasses, South Carolina is the  
18 only state with no laws or constitutional  
19 provisions to even set redistricting criteria.  
20 The House and Senate have different guidelines,  
21 neither of which they are required to follow.  
22 With no oversight, there is no accountability.  
23 No accountability allows incumbents to cherry  
24 pick the whitest, wealthiest voters to insure  
25 they win and keep their gravy train going. South

1 Carolina elections are among the nation's least  
2 competitive. Non-competitive elections breed  
3 corruption. The vast majority of over 170  
4 legislative elections were won with no  
5 opposition. Legislators who have been indicted  
6 for corruption continue to raise lots of money  
7 and keep their jobs because there is no  
8 opposition. This cycle, the first one since the  
9 year 1900, allows the district lines to be  
10 approved before citizens can protest racially  
11 discriminatory maps. We're going back to the  
12 year 1900. South Carolina has pending  
13 legislation and a Constitutional Amendment to  
14 create a Citizens Redistricting Commission. I am  
15 asking you to make House and Senate guidelines  
16 the same. The Fair Act Legislation would change  
17 current guidelines into laws. The process should  
18 not begin until there are clear laws governing  
19 the process which the House and Senate must  
20 follow. Thank you for your time.

21 MR. CHAIRMAN: Thank you. Shannon Chandler.

22 MS. CHANDLER: Good evening. My name is Shannon  
23 Chandler. I reside at 264 Summercreek Drive,  
24 Graniteville, South Carolina. I'm here this  
25 evening representing the Aiken Alumni Chapter of

1 Delta Sigma Theta Sorority, Incorporated. Delta  
2 Sigma Theta has been committed to service through  
3 social actions since our founding in 1913. Our  
4 22 founders participated in the suffrage march of  
5 1913 just two months after establishing the  
6 sorority, and our members have been at the  
7 forefront of social and political struggles ever  
8 since. The central purpose of the Equal  
9 Protection Clause of the Fourteenth Amendment is  
10 the prevention of official conduct discriminating  
11 on the basis of race resulting in intentional  
12 discrimination. The Reconstruction Congress  
13 framed this provision so that the public policy  
14 does not discriminate against citizens who are  
15 entitled to full and equal enjoyment of rights.  
16 Intentional discrimination, whether based on race  
17 or other specific legal categories, violates this  
18 principle. Although evidence of discriminatory  
19 impact is relevant, it is not the touchstone of  
20 the kind of discrimination forbidden by the  
21 Constitution. Standing alone, it does not prove  
22 a violation of the law. Instead the law or  
23 official act must reflect an unjustified purpose  
24 to classify people based upon race for a  
25 plaintiff to find relief. In 1962, the United

1 States Supreme Court concluded in Baker v. Carr  
2 that the unequal districts resulting from the  
3 Tennessee legislative refusal to reapportion its  
4 seats in the face of large population shifts gave  
5 rise to a lawsuit under the equal protection  
6 clause. A year later, the Court establishes  
7 basic standard in Gray v. Sanders. The  
8 conception of political equality from the  
9 Declaration of Independence to Lincoln's  
10 Gettysburg Address to the Fifteenth, Seventeenth  
11 and Nineteenth Amendments can mean only one  
12 thing: One-person, one-vote. Subsequently, the  
13 Supreme Court determined that an individual's  
14 right to vote for state legislators is  
15 unconstitutionally impaired when its weight is in  
16 a substantial fashion, diluted when compared with  
17 votes of citizens living in other parts of the  
18 state. We ask that the sub-committee, I'm sorry,  
19 we ask that the committee recognize the existence  
20 of racial polarization here in Aiken County, and  
21 that voters of different racial or ethnic  
22 backgrounds exercise distinct candidate  
23 preferences in election -- in elections. It  
24 means simply that voters of different groups are  
25 voting in opposite directions rather than in a

1 coalition. Voting is polarized when the  
2 political preferences of majority race and  
3 minority race voters diverse substantially and  
4 the racial majority votes with enough cohesion to  
5 usually defeat the minority's candidates of  
6 choice. These points are defined as preference  
7 polarization in voting power requirements. We  
8 recommend the following to the committee: Comply  
9 with the Fourteenth Amendment and not drawing  
10 districts based solely or predominately on race  
11 except to comply with a compelling state interest  
12 and then those districts must be narrowly  
13 tailored to achieve that compliance. Two, comply  
14 with the Voting Rights Act by not drawing  
15 districts which dilute the opportunity of  
16 minority voters to elect candidates of their  
17 choice. Three, develop reasonably compact  
18 districts and avoid strangely shaped districts to  
19 dilute the vote giving advantage to a particular  
20 part or to protect an incumbent. Four, avoid  
21 drawing for partisan advantage by drawing other  
22 party's voters into packed districts often based  
23 on race or splitting concentrations of other  
24 party's voters in cracked districts. We'd also  
25 ask that you consider protecting incumbents by,

1           number one, insuring that incumbents, as much as  
2           possible, aren't drawn into the same districts.  
3           Number two, preserve cores of existing districts  
4           which favors incumbents. Number three, allow  
5           incumbents to draw potential opponents out of  
6           their districts, and, number four, allow  
7           incumbents to participate in drawing their own  
8           districts. Thank you.

9           MR. CHAIRMAN: Thank you, Ms. Chandler. So, I have a  
10          lot of folks who signed in and did not indicate  
11          if they wish to speak or not. Let's do it this  
12          way. Was there anyone who signed in and wished  
13          to speak but has not been called yet? All right.  
14          Well, a few other issues real quick. Again,  
15          thank y'all so much for coming out. Again, if  
16          you have written testimony, please submit it to  
17          us so that we can make it part of the record.  
18          Thank you to the committee. As always, I look  
19          across the table, and I see you either intently  
20          listening or taking notes. I want to thank you  
21          for that. Pat, I think you win tonight.

22          MR. HENNIGAN: I am the farthest away. I checked on  
23          Bluffton and trust me I was pulling for you but -  
24          -

25          MR. CHAIRMAN: Neal beat you

1 PAT: -- yeah, I was about 20 miles. I would much  
2 rather he win the award.

3 MR. CHAIRMAN: Well, you win tonight for farthest  
4 away, I believe. Next up, we will be, as I said  
5 in the beginning of the meeting, we'll be going  
6 to Greenwood tomorrow night at 6:00 o'clock.  
7 Followed by Orangeburg on the 22nd at 6:00  
8 o'clock and then, of course, as I stated earlier  
9 in the meeting, we're going to have a meeting in  
10 Columbia on September 28th. That will be at  
11 4:30. That will be for a couple of reasons.  
12 First off, I'm hopeful the committee will  
13 consider the map room procedures we'll put in  
14 front of y'all at that time, and as the public  
15 input period, as we grow closer to the end of  
16 that, we get closer to the opening of the actual  
17 map room so that the mapping process can begin.  
18 So, hopefully, we can review the procedures on  
19 the 28th as well as another public input period.  
20 And I'll say to the members of the audience  
21 tonight, if you know someone that, for some  
22 reason, whatever it may be, health or just had  
23 something else going on tonight, wanted to be  
24 here, wanted the opportunity to present to the  
25 committee but couldn't, either that September

1       28th as well as the October 4th at 4:30 are  
2       virtual opportunities and we'll be taking  
3       testimony by way of Microsoft teams. So, I would  
4       encourage you to make those folks that perhaps  
5       wanted to be here tonight but couldn't be here  
6       tonight. So, with that, that'll be the final  
7       word. We are adjourned until we meet again  
8       tomorrow night. Thank you, ladies and gentlemen.

9                     (End of Recording.)

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AUDIO TRANSCRIPTION

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3 STATE OF SOUTH CAROLINA )  
4 ) CERTIFICATE  
5 COUNTY OF LEXINGTON )  
6

7 I, the undersigned, Barbara S. Ham, Notary Public in  
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11 That the foregoing was transcribed by me, to the best  
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13 I further certify that I am neither counsel nor  
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15 event of the cause.

16 In witness whereof, I have hereunto set my hand and  
17 seal this 1st day of October, 2021.

18  
19 *Barbara S. Ham*  
20

21 Barbara S. Ham

22 Notary Public for South Carolina

23 My Commission Expires: 04/13/2026

# AUDIO TRANSCRIPTION

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4:6 37:15 38:14