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AUDIO TRANSCRIPTION

September 22, 2021

SC HOUSE JUDICIARY COMMITTEE

Orangeburg Redistricting Hearing

REPORTER: Sheila Smith

STATE OF SOUTH CAROLINA

HOUSE JUDICIARY COMMITTEE

HOUSE REDISTRICTING AD HOC SUBCOMMITTEE

* * * * *

SUBCOMMITTEE MEMBERS PRESENT:

REPRESENTATIVE WALLACE JORDAN, JR. (Chairman)

REPRESENTATIVE JUSTIN BAMBERG

REPRESENTATIVE NEAL COLLINS

REPRESENTATIVE PAT HENEGAN

REPRESENTATIVE BETH BERNSTEIN

REPRESENTATIVE JASON ELLIOTT

REPRESENTATIVE WESTON NEWTON

REPRESENTATIVES PRESENT:

REPRESENTATIVE LONNIE HOSEY

REPRESENTATIVE GILDA COBB-HUNTER

REPRESENTATIVE MANDY KIMMONS

REPRESENTATIVE RUSSELL OTT

* * * * *

DATE: September 22, 2021

TIME: 6:00 P.M.

LOCATION: Orangeburg-Calhoun Technical College
Roquemore Auditorium, Building R
3250 St. Matthews Road
Orangeburg, South Carolina

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1 CHAIRMAN JORDAN: All right, ladies and gentlemen. It
2 is that time. We're going to call the meeting to
3 order. My name is Jay Jordan. I'm from Florence,
4 not too terribly far from here. I want to say
5 thank y'all for -- the folks here at Orangeburg
6 Tech for welcoming us and making this great space
7 available to us. You are the eighth stop on our
8 statewide tour. I think at the end, this
9 Committee, some of them -- some of us need new
10 tires on our vehicles, some of us maybe need a new
11 vehicle; Representative Collins. But we're glad
12 to be with you this evening, and we've enjoyed our
13 statewide tour.

14 Let me introduce you to the Committee.
15 Justin Bamberg from Bamberg; Neal Collins down on
16 the far end from Pickens; Pat Henegan from
17 Marlboro County. To my right, Beth Bernstein
18 from Columbia; Jason Elliott on the end from
19 Greenville, and to my immediate left, Mr. Weston
20 Newton from Beaufort.

21 And also, I want to point out -- I see
22 Representative Hosey. You're our -- were you with
23 us in Aiken?

24 MR. HOSEY: Yeah.

25 CHAIRMAN JORDAN: They're all -- they're kind of running

1 together on me a little bit. Thank you for coming
2 out again tonight. Representative Gilda Cobb-
3 Hunter, always great to see you. I see
4 Representative Kimmons, Mandy Kimmons, and
5 Representative Russell Ott as well. So always
6 good to see fellow legislators that have time and
7 take time to come be with us during the process.

8 And most importantly, let me -- as I always
9 start, thank you all for coming out. We've done
10 this a lot and I've read this speech a lot, and
11 the Committee members are probably tired of
12 hearing me read my speech, but it's very much the
13 truth, that these hearings are truly one of
14 several keystones underpinning the process of
15 redistricting here in South Carolina.

16 Both here tonight and at the other scheduled
17 public hearings that we've had, this Committee of
18 the House of Representatives has been seeking, as
19 we are tonight, your input and insight into the
20 process of redrawing our districts in order to
21 accommodate the tremendous growth in South
22 Carolina since the 2010 census. The public's
23 input is a key consideration of this Committee as
24 we formulate a proposed plan for presentation to
25 the House Judiciary Committee and ultimately adopt

1 a plan for consideration by the House of
2 Representatives.

3 We recognize that this is not an
4 insubstantial task to redraw legislative and
5 congressional district lines. The Judiciary
6 Committee may or may not adopt the plan proposed
7 by this Ad Hoc Committee, so too the full House
8 of Representatives may or may not adopt the plan
9 proposed by the Judiciary Committee.

10 Unlike prior redistricting cycles, the plan
11 that gains approval of the House, and later the
12 Senate, is no longer subject to advanced clearance
13 by the United States Justice Department. This is
14 because in the decades since the last
15 redistricting cycle, the law surrounding
16 redistricting has continued to evolve. And in
17 2013, the United States Supreme Court struck down
18 a requirement of the Voting Rights Act that
19 required some states to have federal pre-approval
20 of redistricting plans. Although we no longer
21 have pre-clearance obligations, we do have the
22 benefit of working from a redistricting plan that
23 was both approved by the DOJ in 2011, and
24 withstood challenge and scrutiny through federal
25 litigation, which resulted in affirmance -- in an

1 affirmation of the district lines as they are
2 currently drawn.

3 Another difference from prior redistricting
4 cycles that of course is well known to us all, and
5 that is the unprecedented times of the coronavirus
6 pandemic that continues to impact both our country
7 and our state. Due to this disruption of the
8 pandemic, the United States Census Bureau has been
9 extremely delayed in the release of the 2020
10 census data, which of course has impacted the
11 timing of redistricting here in South Carolina.

12 As I mentioned during our first committee
13 meeting in early August, once the Census Bureau
14 releases the final data, which actually just
15 occurred a little bit ahead of schedule, we will
16 then be in a position to begin the map drawing
17 process for the House. Although we are happy to
18 receive your proposed plan submissions at our Web
19 site, the House will wait of course until that
20 final data has been published and we have -- and
21 verified and it's determined that it's actually
22 unchanged before we can actually open the House
23 map room and begin drawing, or considering
24 proposed plans. I can tell you that will
25 hopefully be in the first of -- first week of

1 October.

2 As the House undertakes this process of
3 redrawing district lines, public input is
4 indispensable to ensuring our districts best
5 represent the people of South Carolina, as we
6 truly are the House of the people. We want your
7 input on specific issues or concerns in your
8 communities and in your neighborhoods. As in
9 previous redistricting cycles -- did I do that?

10 (INTERRUPTION)

11 CHAIRMAN JORDAN: As in previous redistricting cycles,
12 our Committee has adopted a set of criteria to be
13 used as guideposts in the development of a
14 proposed plan and redrawing of district lines.
15 The fundamental goal of this Committee and the
16 House is to adopt a plan that assures South
17 Carolina's legislative districts provide for equal
18 voting rights, traditionally referred to as the
19 one person, one vote principle. As applies to the
20 redistricting plan, our districts should be of
21 substantially equal population.

22 While the population directive is important,
23 we are here tonight because the Committee needs to
24 hear from you, our constituents, the South
25 Carolina voters, as to how you identify or define

1 your communities. We welcome your input as to the
2 important social, cultural and historical context
3 of how you describe your communities so that we
4 can better understand the commonality and
5 connections that matter to you.

6 This hearing is being recorded. It will be
7 transcribed and made available to the public for
8 the --

9 (INTERRUPTION)

10 CHAIRMAN JORDAN: Also -- excuse me. This hearing is
11 being recorded, will be transcribed, and made
12 available to the public. For the sake of order
13 and a clear record, we ask that anyone desiring to
14 speak tonight please first sign in if you have not
15 already done so. And when you are called, please
16 come to the microphone to introduce yourself by
17 your name, address, and the district or districts
18 about which you plan to speak. If you are present
19 tonight on behalf of a group, please identify the
20 group on whose behalf you are appearing, be it
21 political party, public interest group, or other
22 organization.

23 I also want to make sure everyone understands
24 in advance we are here to receive information and
25 provide a forum for you, the public, to express

1 to the Committee what issues or concerns that you
2 feel are important as they relate to
3 redistricting. While I or other members of the
4 Committee may occasionally make a comment or ask
5 a question, we will strive to limit our speaking
6 so that we can maximize the time available to you.

7 As we get further into the evening, if some
8 or part of your -- excuse me. If you plan to
9 leave any written documentation with the
10 Committee, we will be happy to include it in the
11 permanent record. We ask to make sure you're
12 identified, please put your name and your mailing
13 address on the document and we will provide sticky
14 notes at the submission box for that. You can
15 certainly e-mail your testimony to our Web site --
16 through our Web site. That's
17 redistricting@schouse.gov, or mail to House
18 Judiciary located at 512 Blatt Building, and
19 that's 1105 Pendleton Street, Columbia, South
20 Carolina.

21 And I will stop where I started, and that is
22 to say thank you for taking time out of your plans
23 and schedules to come out and talk to us. And
24 while I was doing all that, Representative Govan
25 came in. Thank you for being with us tonight as

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1 well.

2 With that, our first speaker tonight, Mr.
3 William Johnson?

4 MR. JOHNSON: Good evening. Let me first say that --
5 excuse me, I must didn't need that note. I'm
6 William Johnson. I'm the mayor of Holly Hill,
7 South Carolina, and my representative is
8 Representative Gilda Cobb-Hunter, District 66.
9 My address is 1310 Carolina Avenue, Holly Hill,
10 29059.

11 Now as I sat there, I thought about when I
12 have a public hearing, nobody gets up and say
13 anything in a little small town, so I wanted to
14 make sure I said something. Now as I think about
15 what could be said that could help not only the
16 Town of Holly Hill but the District 66, in that
17 we're a small rural community. It is important to
18 us that whoever serves us understands small rural
19 communities.

20 As a matter of fact, we wish that they lived
21 in small rural communities. And because of the
22 census, how we really feel that we are
23 undercounted, especially Holly Hill. As I look at
24 the numbers, I see where we went from almost 1,300
25 to 1,150. So it tells me that there's been an

1 undercount. I don't know the system. I don't
2 know how you all do it, but I think there has to
3 be some consideration to the deviations and all of
4 that when you all look at this, that we may be
5 able to keep those that serves us and serves us
6 well, keep that area for them to represent.

7 So in short, what I want to say is we would
8 like to see from Eastern Orangeburg County -- I'm
9 sure that you all consider the rural community,
10 consider the leadership that we've had over the
11 past, and how we won't just draw away to keep the
12 person out that does a good job and that works
13 for us, and not that I'm campaigning for her or
14 anything, but I'm just saying if I get an
15 opportunity to speak on behalf of what we would
16 like to have or like to keep personally -- this is
17 personal for me. I would like to make sure that
18 we ensure that those in place still have an
19 opportunity to be in place. And I do realize just
20 because you have an opportunity to be in place
21 doesn't mean that you will be.

22 But please consider making sure that we have
23 that opportunity as you look at us small rural
24 communities and look at -- again, one of the
25 things that we know that's going on now, a lot of

1 talk about is how that we look at the races and
2 make sure that everybody has an opportunity to
3 have their vote and that we draw it as to where
4 there's an opportunity that we can all be
5 represented and not just pick one group to be
6 represented.

7 So again, I would just love to say to you all
8 really look at the deviation portion of that.
9 Does it change, and if you been using six percent,
10 five percent or whatever, that the numbers are --
11 as to how they're reported this time, should we
12 change that, should we consider changing that,
13 should it be nine percent, ten percent or
14 something. I think it's a lot of things to look
15 at. But again, let me just say please do your
16 best to make sure that it's fair and you look at
17 all sides and just think about first of all if you
18 were in our seat, what would you want, if you were
19 in the small rural communities. But again, let's
20 be careful that we look close at that. Again,
21 thank you all. Thank you for your work you do.
22 I know it has to be tough work, but again, thank
23 you.

24 CHAIRMAN JORDAN: Thank you, Mr. Johnson. Phil Ford?

25 MR. FORD: Good evening, Mr. Chairman. My name is Phil

1 Ford. I use he and him pronouns. My address is
2 2362 Mall Terrace Court here in Orangeburg.

3 And I represent a growing coalition of
4 organizations called South Carolina United for
5 Justice and Equality. The South Carolina United
6 Justice -- United for Justice and Equality
7 Coalition envisions a South Carolina where
8 everyone can thrive, with a particular emphasis
9 on the lived and legal equality of LGBTQ+ people.
10 I'm here to discuss with you the importance of
11 inclusivity in redistricting and LGBTQ+
12 representation in the general assembly.

13 There are roughly 137,000 LGBTQ+ South
14 Carolinians and LGBTQ+ South Carolinians would
15 like to see districts where our interests are
16 included. Unfortunately, in our state, we see
17 that according to the Williams Institute at UCLA,
18 over 81 percent of LGBTQ+ residents are
19 discriminated against. The majority of South
20 Carolinians believe that LGBTQ+ equality is
21 needed, yet we see discriminatory bills year after
22 year from politicians that truly don't represent
23 the will of their districts. And I believe that's
24 a symptom of safe districts from fringe
25 politicians.

1 With this information, we implore you
2 consider LGBTQ+ people when drawing the new
3 districts. When drawing these new districts, we
4 ask that district lines respect communities of
5 interest, especially within the precinct and
6 county lines. District lines ensure that
7 minorities, especially LGBTQ+ people, have an
8 opportunity to elect a representative of their
9 choosing and legislative districts should not be
10 drawn with the intention to reduce
11 competitiveness.

12 Democracy can truly thrive when all people
13 are represented and have a voice at the table.
14 The best candidate with the best ideas should be
15 allowed to run in a district where there is an
16 opportunity to win. Competitiveness is a good
17 thing. We must draw districts in a way that
18 considers and elevates the voices of all South
19 Carolinians.

20 While the census doesn't specifically include
21 LGBTQ+ people this past year, we should use the
22 best resources available, including input from
23 nonpartisan groups and tools like the one that I
24 mentioned, the Williams Institute at UCLA School
25 of Law. And on behalf of more than 30 groups in

1 the South Carolina United for Justice and Equality
2 Coalition, we urge you to consider LGBTQ+ people
3 when redrawing these new districts. You can help
4 level the playing field and ensure that every
5 South Carolinian's voice and vote matters. Thank
6 you. And I do have a couple of resources for you
7 all. Can I give those?

8 CHAIRMAN JORDAN: Certainly.

9 MR. FORD: Okay. Thank you so much.

10 CHAIRMAN JORDAN: Thank you for your testimony. Alonzo
11 Frazier?

12 MR. FRAZIER: First of all, good afternoon. And my name
13 Alonzo Frazier and I'm from Allendale, South
14 Carolina, and this is my wife Elizabeth. Our
15 address is 3562 Concord Church Road, Allendale,
16 South Carolina. And we are better known as folks
17 from Appleton.

18 And I just want to say that over the years
19 being involved, Representative Hosey have always
20 been with us at -- years ago, I was involved with
21 the landfill and Representative -- whenever we
22 called him, he would show up to the meetings and
23 he would (indiscernible) to help us. And when I
24 was on the school board, whenever we needed him,
25 he would come.

1 And what I'm hoping for is that we can keep
2 that same integrity in the future, at least for
3 now. And thank y'all very much.

4 CHAIRMAN JORDAN: Thank you, Mr. and Ms. Frazier. Next
5 up, Barbara Williams?

6 MS. WILLIAMS: Good evening. My name is Barbara Johnson
7 Williams, and my address is 1843 Lake Drive.
8 That's Orangeburg, South Carolina. I'm also in
9 Representative Gilda Cobb's district and
10 representing the Orangeburg branch NAACP.

11 And it's my hope that voter of color, we have
12 the same opportunities to elect fair and preferred
13 candidates as pertains to our congressional
14 district. And I feel that the number of people of
15 color that we have in this district would qualify
16 us for such. In this area, we have a lot of -- we
17 could benefit a lot from the Medicaid expansion.
18 There's a great need here also for our educational
19 system, as well as other needs for -- outlets for
20 persons in this community.

21 So I hope that you all can -- when you think
22 of drawing -- redrawing -- I mean, redrawing
23 district, that all of these things will be taken
24 into consideration. Thank you.

25 CHAIRMAN JORDAN: Thank you, ma'am. Representative

1 Jerry Govan?

2 REPRESENTATIVE GOVAN: Okay. Thank you very much, Mr.
3 Chairman. I'm State Representative Jerry Govan,
4 and I represent South Carolina House District 95
5 in the South Carolina General Assembly. I reside
6 at 143 Sweet Maple Drive in Orangeburg, here in
7 Orangeburg. I want to thank you and welcome you
8 as you sit here now to take this testimony at this
9 lovely campus of Orangeburg-Calhoun Tech. You are
10 in House District 95, so welcome.

11 Per the Redistricting Ad Hoc Committee's
12 criteria, the constitutional federal law and state
13 law of course must be followed. Other factors
14 that may be considered in the redistricting
15 process include of course continuity, compactness,
16 communities of interest, including, but not
17 limited to, economic, social, cultural, historical
18 influences, political beliefs, voting behavior,
19 governmental services, commonality of
20 communications, and geographic location and
21 features, and incumbency. Currently, in
22 Orangeburg County -- we are fortunate there are
23 four house district in Orangeburg County, mine,
24 District 95; District 91, which is represented by
25 Representative Hosey; District 93 by

1 Representative Ott; and District 66, which is
2 represented by Representative Gilda Cobb-Hunter.

3 District 95 is based in the city and
4 surrounding suburbs. It's been this way
5 historically going back to 1974, when the first
6 African-American was elected to the South Carolina
7 House, the late Honorable Earl Middleton. Prior
8 to that, there was no minority representation.
9 And to some, that seems like a long time ago and
10 others it's not so long.

11 District 91 is based in Barnwell County and
12 Allendale County and includes parts of Western
13 Orangeburg. 93 is in Calhoun County, includes
14 parts of Northern Orangeburg and Eastern Lexington
15 County; and District 66 is based in the Southern-
16 Eastern Orangeburg County, but has previously, in
17 prior reapportionment has also included parts of
18 Northern Dorchester.

19 Now the purpose of redistricting is to ensure
20 equal representation by creating districts with
21 equal population. All of Orangeburg districts are
22 below the ideal population for a house district,
23 which is 41,287. District 95 is at 34,092;
24 District 91, 32,543; District 93 at 35,055; and
25 District 66, 33,255. It's important, as it's been

1 articulated by some of the previous speakers, we
2 feel very strongly in Orangeburg County about the
3 issue of communities of interest. As far as
4 District 95 is concerned, we want to keep the City
5 of Orangeburg and the surrounding suburbs together
6 in one district. House District 95 has
7 historically kept this community whole, and this
8 must continue to ensure that this community of
9 interest has representation in the South Carolina
10 General Assembly. Considering the importance of
11 the Orangeburg community, which is one of the
12 largest African-American communities in the state,
13 as well as the importance of the African-American
14 community within Orangeburg County, the
15 redistricting process should not dilute this
16 community's voting power to elect their own
17 representative.

18 This community of interest should be kept
19 together to ensure that representation on
20 important matters continue. Recent issues of
21 importance that we've had to come together to
22 resolve include everything from school board
23 consolidation, utility coverage, as well as a
24 number of government services. So it makes sense
25 to give this community a choice in a decision in

1 terms of its one representative. Compactness and
2 continuity. District 95 is currently compact and
3 continuous. The redistricting process should
4 incorporate more of the City of Orangeburg and
5 more of the nearby suburbs, considering the
6 history of this district. In order to make the
7 district to continue its compactness and
8 continuity and to ensure that the community of
9 interest is represented.

10 Per the 2020 US Census, Orangeburg County has
11 a population of 84,223. The fact of the matter
12 is, as it been stated, and hopefully my other
13 colleagues will also articulate this, we believe
14 that representation, that census is a undercount
15 when you consider the fact of the impact of Covid
16 and other key things that have occurred.

17 The population deviation, however, for the
18 2020 Census undercounted the population in rural
19 areas, it is highly likely that the population of
20 Orangeburg is higher. We should not let the
21 voting power of rural communities to be diminished
22 by an inaccurate census conducted during the
23 Covid-19 pandemic. And to account for this, the
24 population deviation we believe should be raised
25 five percent -- or should be raised, that the

1 current five percent deviation is too low and that
2 the redistricting committee should use a deviation
3 of ten percent.

4 Orangeburg County is fortunate to have been
5 served by several members of the General Assembly.
6 But the fact remains that considering the size of
7 this county, one of the largest in the state
8 geographically, considering that fact and the
9 seniority of its members, incumbency we believe
10 should be considered to ensure that all the
11 communities in which this diverse county has
12 should be and will continue to be served. We
13 believe that these -- our constituencies believe
14 that we should not be pitted against one another,
15 which is unnecessary and bad for the political
16 influence of our area.

17 The City of Orangeburg and surrounding areas
18 in Central Orangeburg County should continue to
19 have a voice in their respective areas. The
20 citizens in House District 95 believe strongly so
21 and we would ask that you consider that.

22 In closing remarks, I'd just like to point
23 out to the Committee that when talk about the
24 diversity, particularly of this area and the
25 uniqueness of it, it is the home of three

1 colleges, including South Carolina State, the
2 Claflin University, and of course here where we
3 are today, OC Tech. It has one of the largest
4 public high schools in Orangeburg-Wilkinson. We
5 also have other high schools in the county, but
6 I'm speaking specifically in House District 95.
7 And uniquely so, we also have one of the largest
8 private schools in the State of South Carolina in
9 Orangeburg Preparatory School.

10 The county seat of Orangeburg is located
11 here, and the city has a very diverse and
12 socioeconomic background when you consider both
13 the inner city and the suburban areas of the
14 district. As such, we would like to see, and I
15 emphasize this, no retrogression in terms of that
16 diversity and that uniqueness in terms of diluting
17 the house district, and we would also like to
18 suggest no retrogression when you consider the
19 history prior to 1974 and coming forward in terms
20 of the lack of minority representation.

21 I'd also like to acknowledge the fact that
22 several key individuals from the city wanted to be
23 here today and also from the county. I don't know
24 if they had a chance to make or not, but this is
25 Wednesday. We're in the Bible belt south, and so

1 this is church night, or in a lot of instances,
2 folks are still doing that remotely. But the
3 Honorable Michael Butler, Mayor of Orangeburg,
4 wishes to submit, along with members Liz Kit and
5 Bernard Hearn (ph). I heard from them. Members
6 of city council would like to submit -- sends
7 their apologizes and will submit written testimony
8 in the next few days to the Committee. And also
9 I'd like to acknowledge Councilwoman Dolores
10 Frazier, Janie Cooper, and Councilman Willie Owens
11 as well, that they will also be submitting
12 testimony as well. And so having said that, we
13 want to thank you. We hope you find your stay
14 here in District 95 enjoyable. Enjoy the food on
15 your way out. We'd love to have you spend of your
16 money here, and I'll be more than happy to answer
17 any questions. And I do have some written copies
18 of some of the comments I've made for your perusal
19 and for the record.

20 CHAIRMAN JORDAN: Thank you for your testimony,
21 Representative Govan. And that is the last
22 speaker, I believe, or person who signed in who
23 indicated they wished to speak. Was there anyone
24 who signed in that wishes to speak that, for
25 whatever reason, didn't check the box? All right.

1 Representative Hosey?

2 REPRESENTATIVE HOSEY: Mr. Jordan, Chairman of this
3 Committee and committee members and to all my
4 colleagues in the house, Gilda Cobb-Hunter, Jerry
5 Govan, Russell Ott, and the others on this
6 platform, good evening to you.

7 I didn't plan to speak, so I didn't come
8 prepared to give you any written document. But
9 when I heard the one coming from Allendale that I
10 didn't know was going to show (indiscernible), so
11 I had to come and say thank you. Allendale is
12 dear to my heart. 1999, when I was asked to come
13 and join the legislative party, I don't know
14 whether she remembered, but Gilda Cobb-Hunter was
15 one of those persons who approached me through
16 other means to come and fulfill the spot that Mr.
17 Cabe (ph) was vacating to go work for the
18 governor.

19 I had tried to run for this office in 1988
20 and I took a solid whooping, and I said I'll never
21 try it again. But when these folk called me to
22 say, you need to come, I did. And I went to a
23 store in Blackville and talked to a gentleman who
24 owned a business, and he happened to be a white
25 man. And he said, do you know me? And I said,

1 no, sir, I don't, but I came to try to get some
2 funds for my campaign. He said, young man, you
3 know, let me say this to you. It's not about how
4 much education you have that people will help you,
5 it's not about how much money you might have or
6 where you have gone. But one thing they do --
7 particular -- and they pull out above a lot of
8 things and that is to see whether you care. Do
9 you care? I said, yes, sir. So that's why you're
10 running? I said, yes, sir. And that has lingered
11 with me throughout my House career.

12 In the District in Allendale, one of the
13 poorest in South Carolina, the population
14 decreasing, but these are human beings. These are
15 people with the same needs that other people
16 across the state need. They're no different than
17 anybody else. They've had great graduates from
18 the school to go on to higher heights. But they
19 can't come back to Allendale because there's
20 nothing there for them.

21 And so we who are still there, and I live in
22 Barnwell, have to fight daily to stay alive.
23 Barnwell, a little better off in economics, but in
24 the same track. Western Orangeburg, in the same
25 track, just a little bit better. And I'll say to

1 this Committee, I don't know how much input you're
2 going to have in reporting what you have heard and
3 what impact it would have on drawing the
4 districts. This is my one -- I say my third rodeo
5 because in 2000, '99 had been passed, and I did it
6 also there, and so we're in progress now.

7 I say to you that I hope that we do just what
8 is designed for us to do in getting districts. If
9 we deviate, we cause problems. And we hope that
10 we will draw districts that people will have the
11 same interests. I hope that we will draw
12 districts that concern and care about each other
13 as much as the man that told me about caring. In
14 South Carolina, we deserve more than we sometime
15 get, but we're getting quite a bit. Let's thank
16 God for that.

17 So I'm not going to linger on. I just wanted
18 Mr. Frazier and Ms. Frazier to know that their
19 representative care. And I'm not here on a
20 campaign, because we all have done something in
21 our communities. But I brag about the track field
22 that you legislators helped me get and carry to
23 Allendale. You ought to see it. I saw it
24 yesterday. It looks just as brand new, and
25 they've been using it, as it was originally put

1 down a couple years ago, a DSS building that was
2 there because they were meeting in trailers where
3 it was really a deplorable situation. Hey asked
4 that we get them something, and you the
5 legislators, helped me get that for them.

6 So it's not about me, it's about us. And
7 I'm here tonight to tell you I'd like to continue
8 helping these people, my people. My people care
9 about each other and care about the United States
10 of America, and especially South Carolina. Thank
11 you.

12 CHAIRMAN JORDAN: Thank you, Representative Hosey, for
13 your comments, as well as your service.
14 Representative Gilda Cobb-Hunter? And then I
15 believe we have one more gentleman who has
16 expressed he wishes to speak.

17 REPRESENTATIVE COBB-HUNTER: I'll yield to a member of
18 the caucus.

19 CHAIRMAN JORDAN: Okay. All right, well then we'll do
20 that and then we've got -- Representative Ott
21 wants to get in as well. So we'll let y'all
22 decide who wants to go next. Yes, sir. If you
23 would, give us your name, that we can --

24 MR. FOX: I'm Christopher Fox. I live at 2355 Beach
25 Drive, Orangeburg, 29115. I just wanted to

1 express as a community organizer on Stop the
2 Bondage Campaigns, and certainly during election
3 season, going over the state.

4 And there's half a million registered but
5 inactive black voters who don't have a reason to
6 vote because they're pretty clear on not only how
7 the lines are drawn but where their representation
8 stands on any number of issues, whether it's open
9 carry to abortion to what have you. And I'm a fan
10 of voting for my interests above a party, and I
11 think that the Fair Act (indiscernible) I think
12 750 and 4229 give us the opportunity to redraw the
13 lines to engage the electorate and give them a
14 reason to come out. I think the senators and
15 representatives who have long terms, they have
16 them for a reason. They have that cache with the
17 community, and I don't think that competition
18 added into the mix would hurt them, you know, if
19 they say -- if they stand for what they say for.

20 And I had a opportunity to go to a press
21 conference with Senator Fanning and Representative
22 Carl Hunter a couple weeks ago, and I just wanted
23 to offer a couple points. The redistricting
24 process should not start until there are clear
25 laws governing the process that the House and

1 Senate must follow. The Senate and House have
2 different redistricting guidelines, neither of
3 which they are required to follow. This lack of
4 accountability allows incumbents to pick their
5 voters and to ensure their win. South Carolina's
6 elections are amongst the least competitive.
7 Noncompetitive elections breed corruptions as
8 we've seen. Legislators have been indicted for
9 corruption since the last redistricting, has
10 raised a lot of campaign cash, with no opposition.

11 So in my closing, I'd like to say to give
12 South Carolina opportunity to be interested and
13 invested in the process. Let's not hold these
14 hearings and nod our heads and then do whatever
15 may already be intended. It is a opportunity that
16 only comes around a decade or so, and I think that
17 we could show the nation that South Carolina, and
18 Orangeburg in particular, is above the legacy of,
19 you know, just Smith, Hamm and Middleton and all
20 the negative representation that we have. There's
21 a lot of other stories to tell so why can't we
22 make redistricting and Fair Act one of those
23 stories? Thank you.

24 CHAIRMAN JORDAN: Thank you, sir.

25 REPRESENTATIVE COBB-HUNTER: Thank you so much, Mr.

1 Chairman and members of the Committee. Welcome to
2 Orangeburg County, the largest county land wise in
3 the State of South Carolina. You're in a county
4 that is 1,100 square miles from one end to the
5 other. I appreciate y'all being here, appreciate
6 you listening to constituents who have spoken, to
7 the ones who will be submitting written testimony,
8 and I will also be e-mailing written testimony.

9 I want to pick up where the last speaker left
10 off and just share with you the Fair Act
11 introduced in the Senate by Senator Mike Fanning,
12 and on the House side introduced by me. I think
13 realistically in an ideal world, we would not be
14 doing redistricting the way we're doing it because
15 we are the only state in the union that does not
16 have statutes governing redistricting. I think
17 that's a mistake. I think it makes it too
18 subjective and too open to change, and I believe
19 the process would be a lot better if the
20 legislature adopted codes that would govern this
21 process.

22 I know that that is something that is not
23 realistic this time around, but I would encourage
24 the House and the Senate to look at guidelines,
25 and to as much as possible, draw -- agree on the

1 same set of guidelines. And this is more so for
2 the public's benefit than for the politicians'
3 benefit. I would encourage you to take a look at
4 the Fair Act. It's been sitting in committee, and
5 perhaps not in time for this redistricting, but
6 certainly in ten years when a whole new group of
7 people are in here, some of which will include
8 those of you up there I'm sure. There will be
9 rules in place that everybody will know before
10 hand and that will guide everyone. And so I
11 encourage you to do that.

12 I want to offer comments on two pieces. One
13 is the House and one is the congressional maps.
14 And I'll start with the congressional maps because
15 I saw something in the news that was very
16 troubling to me. Don't know if there's any truth
17 to it. I hope it's not, but I saw something that
18 suggested that there would be an effort on the
19 part of Republicans in the legislature to pack all
20 -- as many blacks as possible into the six
21 congressional district so that Nancy Mace and the
22 first congressional district will be in a stronger
23 position to win reelection. I would encourage the
24 Committee to resist the temptation to do that for
25 this reason. The fastest growing areas in South

1 Carolina are along the coast; Horry, Charleston,
2 Beaufort, for the most part, and then Greenville,
3 of course.

4 It is unfair to voters of color for any more
5 voters of color to be packed into the six
6 congressional district. With a significant gain
7 in population here in this state, there is a
8 tremendous opportunity for South Carolina's seven
9 congressional districts to be truly representative
10 of South Carolina. You might be interested in
11 knowing -- it's my understanding -- I was not --
12 I think the chair of the Black Caucus,
13 Representative Henegan was a part of the
14 conversation. But it's my understanding that
15 Congressman Clyburn has publicly stated that he
16 didn't ask for the (indiscernible) in his
17 district, that the General Assembly chose those
18 numbers and packed the district in that way. If
19 that is indeed the case, Mr. Chairman and members
20 of this Committee, I would strongly encourage you
21 to revisit the makeup of the six congressional
22 district to look at of course, incumbent
23 protection, but more importantly, to look at
24 communities of interest and contiguity.

25 By way of history, this is my fourth

1 redistricting. When I was first elected in
2 January of '92, the House was completing the
3 process, had gone through, and you may recall,
4 court challenges and all of that. When I was
5 first elected, I represented three counties,
6 Orangeburg, Dorchester, and Colleton, three
7 counties. I represented those three counties
8 until the next redistricting process of -- during
9 which I wound up with Dorchester and Orangeburg
10 Counties. And in the last redistricting process,
11 I wound up with Orangeburg County. And quite
12 frankly, I can tell you, Mr. Chairman and members,
13 and I know Representative Kimmons is here from
14 Colleton County. I know how those folk from
15 Colleton County felt when they complained about
16 their little small county being divided up amongst
17 five legislators.

18 I say that now because here in Orangeburg
19 County, we have a total population county wide of
20 84,000 people. That's two House districts. We
21 currently have four House members. I don't see
22 how realistically that can be maintained. What I
23 am very hopeful that this Committee will agree to
24 do, Mr. Chairman, is to take into account some of
25 the comments from your opening statement where you

1 talked about the census and the fact that the
2 census was slow. There were a number of flaws
3 that a lot of us have recognized and have been
4 identified for the record on the census, the
5 undercount, and that was exacerbated in rural
6 communities; the lack of response, particularly in
7 communities of color; the response that was tied
8 to the lack of Internet access, lack of broadband
9 connectivity. Governor McMaster himself has
10 identified the lack of broadband connectivity as
11 a part of the problem and then the big boogeyman
12 in the room, the pandemic and the role that Covid-
13 19 played in the response.

14 For the reason alone, Mr. Chairman and
15 Committee members, I think it's critical that we
16 look at the deviation and consider increasing the
17 deviation to ten percent. Now there are some who
18 have argued that that can't be done. I would beg
19 to differ. It can be done because there are no
20 statutes. This Committee operates, as in the
21 past, based on guidelines that you agreed on and
22 that you accept. I would encourage you to look at
23 raising the deviation to at least ten percent for
24 the reasons stated, as well as that is something
25 that would help not just Democrats, but there are

1 Republicans who also serve communities who have
2 lost population. And so I think it's important
3 that we recognize that for a variety of reasons,
4 the undercount, the flawed census, the pandemic
5 more so than anything else, that we take a look at
6 a deviation that is more realistic.

7 The Mayor of Holly Hill has shared with you
8 what he perceives as an undercount. I think if
9 you go to any member of the legislature,
10 especially those of us who represent rural areas,
11 they will tell you that there was an undercount in
12 their area as well.

13 So let me just close my comments by
14 suggesting to you that from my perspective,
15 communities of interest is critical. For the seat
16 that I hold, when I came in -- and this is the --
17 I saw in your guidelines that you wanted examples
18 of differences or examples. To make the point,
19 I'll offer two, maybe three, but real quickly to
20 suggest to you when I came in, my district -- we
21 talking about historical significance. When I was
22 elected, I was elected from House District 94. As
23 a result of redistricting, the person who I
24 replaced was not there when the redistricting was
25 happening. And so when I came in, being new and

1 naive, I kept looking at the maps and looking for
2 94 and seeing precincts I did not recognize. And
3 it was only after a while that it dawned on me,
4 you're looking at the wrong district number. You
5 are serving in a district that has been totally
6 changed. That's when we had -- when I had the
7 three counties because the person who had the
8 district wasn't there, and so everything was fair
9 game and this district was one.

10 What is important to residents in District 66
11 is that as much as possible, that district focus
12 on the eastern part of the county. I represent
13 not just the eastern part of the county, but I
14 represent parts of Orangeburg, the city. I have
15 city precincts and I have suburban precincts here
16 in Orangeburg. And so I would suggest to you that
17 in order for that to be kept intact, they're going
18 to have to be some tough decisions made. I don't
19 envy y'all being in the position to have to do
20 that because they are going to be some winners and
21 losers. But we are where we are, and it is what
22 it is. And if you got a county with 84,000
23 people, that in itself makes it clear that some
24 changes have to be made.

25 I want to assure Mr. Hosey and the people

1 from Allendale that what I'm talking about doesn't
2 affect Allendale. Allendale can be kept whole;
3 doesn't have anything to do with anything but
4 Orangeburg County, and unfortunately the reality
5 of people not responding to the census. And so I
6 appreciate the opportunity to come before you. I
7 strongly encourage you to look at raising the
8 deviation to ten percent so that people who are in
9 office now will at least have a fighting chance.
10 I don't know what the final -- and I thought, Mr.
11 Chairman, I heard you say that y'all have received
12 the final numbers from the census?

13 CHAIRMAN JORDAN: That's correct.

14 REPRESENTATIVE COBB-HUNTER: And so I've not seen those,
15 but I just appreciate the opportunity to come
16 before you. I encourage you to look at doing the
17 right thing. I would encourage you to not yield
18 to those who may whisper in your ear about
19 retribution and revenge and all that good stuff.
20 And I'm just kind of, you know, basing this on
21 previous redistricting efforts. But thank you so
22 much, and happy to answer any questions, and I'm
23 sure you don't have any. I will be submitting
24 some written testimony. Thank you so much.

25 CHAIRMAN JORDAN: Thank you very much for your

1 testimony, Representative Cobb-Hunter.

2 Representative Russell Ott? I think you get to be
3 the final word this evening.

4 REPRESENTATIVE OTT: And I know what that means, Mr.

5 Chairman, to be brief and I promise you I will be.

6 Let me first just say thank you to you and the
7 members of your Committee. Welcome to Orangeburg.

8 Thank you for the dedication that y'all have been
9 putting in over the course of the last several
10 weeks traveling across the state, listening to
11 folks that want to come out and be a part of this
12 process and give you something to think about.

13 I'm not going to be long because you've heard
14 a lot of what I wanted to say and ask for
15 consideration from my colleagues. First and
16 foremost, though, my address was 135 Ott Farm
17 Trail in St. Matthews, South Carolina.

18 Like my colleagues before you, you know, I
19 look around the room first and foremost and I see
20 some folks from Calhoun County, which is the
21 neighboring county to where we are tonight in
22 Orangeburg County. And many of them wanted me to
23 come up and give you something to think about, and
24 it's what you've already heard, Mr. Chairman.

25 You're in a rural part of the State of South

1 Carolina, Calhoun County. Although it's on the
2 outskirts of Richland County kind of sandwiched
3 between Richland and Orangeburg, it's still a
4 rural county, and it's a small county. You heard
5 Representative Cobb-Hunter talk about the size of
6 Orangeburg. Calhoun County is much smaller in
7 land mass and much smaller in population also.
8 And as many of you already know, when you're
9 dealing with a small county, it sometimes is very
10 hard to get that fair representation for that
11 county that you may see in some larger counties.

12 Right now, Calhoun County has a delegation of
13 three, one House member and two different Senators
14 that split the county, and there is only one
15 resident legislator from Calhoun County. What my
16 constituents and folks from Calhoun County would
17 ask you to consider is keeping Calhoun County
18 whole because obviously if a smaller county like
19 that is split up and goes to multiple legislators,
20 then obviously it makes it very hard that that
21 voice, for lack of a better terminology, gets
22 somewhat diluted. So we would ask that on behalf
23 of the folks from Calhoun County, that you give
24 consideration to keeping a smaller rural county
25 whole.

1 And then just to reiterate what
2 Representative Cobb-Hunter and the good mayor from
3 Holly Hill has talked about. We continue to hear
4 from folks that submit that this was a major
5 undercount during this particular census. You
6 know, you can go and talk and, you know, it's hard
7 to quantify that. It's very unfortunate because
8 there's a lot of things that depend on that count,
9 a lot of federal funding that I think the State of
10 South Carolina and areas that we are going to be
11 missing out on because of those numbers. But this
12 is something that I think that we can look at and
13 know that because of the coronavirus, because of a
14 lack of broadband availability in some of these
15 rural parts of the state, you know, this count
16 certainly was off, and it was low.

17 And so, you know, certainly we would ask,
18 and ask for your consideration in a different
19 deviation. And Representative Cobb-Hunter knows
20 this process very well. She's been spending a lot
21 of time studying it, understands that although
22 there may be a number that has been historically
23 used, that is not a number that has to be used by
24 the House of Representatives or the Senate or
25 anyone during this process, that that deviation

1 can be what is deemed necessary taking into
2 consideration what we certainly believe the facts
3 would show was an undercount in this most recent
4 census.

5 So just again want to thank you for being
6 here. Thank you for your hard work, that, you
7 know, again there's not going to be a lot of good
8 answers. But please know that the efforts that
9 you're putting forward are appreciated. Thank
10 you, Mr. Chairman.

11 CHAIRMAN JORDAN: Thank you, Representative Ott. All
12 right, ladies and gentlemen, as I said earlier,
13 we started this process back I believe it was
14 September the 8th in Myrtle Beach, South Carolina,
15 and we've made our way from the beach through the
16 PeeDee to the Upstate, back to the coast. We were
17 in Aiken, then Greenwood, and now we close our
18 road -- our tour of South Carolina here with you
19 tonight in Orangeburg.

20 I thank you to all of you who came out
21 tonight. Thank you to the representatives who
22 spoke in your home area. Thank you for your
23 hospitality to us. Thank you to the members of
24 this Committee that have made this an important
25 part of your lives now and will continue to as we

1 continue on in the actual process. I can tell you
2 we have two more meetings on the calendar. Both
3 will be in Columbia at the State House. The first
4 one is September the 28th at 4:30. That is next
5 Tuesday. At that meeting we will review and
6 hopefully take on map room procedures, and then we
7 will also have another public input opportunity.
8 If you know someone that for whatever reason,
9 health or other plans or whatever reason couldn't
10 be here this evening but wanted to participate,
11 feel free to point them our way on September 28th
12 for a virtual opportunity to give input. And then
13 we will meet again -- we'll reconvene again on
14 October the 4th at 4:30 for another final public
15 input opportunity, also in Columbia, also at the
16 State House, also another virtual opportunity.

17 So with that, I think Representative Collins
18 wins the farthest away. He'll take it. He
19 usually does, in Pickens. But with that, we'll
20 call it an evening and reconvene next week in
21 Columbia. Thank you ladies and gentlemen.

22 (END OF AUDIO)

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AUDIO TRANSCRIPTION

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C E R T I F I C A T E

I, the undersigned, Sheila B. Smith, Notary Public in and for the State of South Carolina, do hereby certify that the foregoing transcript was prepared by me at my hand;

That I was not present at said proceeding; That the within statements are an accurate transcription of the audio file transcribed, to the best of my ability;

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

In witness whereof, I have hereunto set my hand and seal this 6th day of October, 2021.



Sheila B. Smith, CVR-CM-M
Notary Public for South Carolina
My Commission Expires: 2/25/2024

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