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AUDIO TRANSCRIPTION

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SC HOUSE JUDICIARY COMMITTEE

Columbia Redistricting Hearing

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STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

HOUSE JUDICIARY COMMITTEE
REDISTRICTING AD HOC SUBCOMMITTEE

CHAIRMAN: Jay Jordan

DATE: October 4th, 2021
Columbia, South Carolina

REPRESENTATIVES:

Justin Bamberg
Neal Collins
Pat Hennigan
Beth Bernstein
Jason Elliott
Weston Newton

Bamberg
Pickens
Marlboro
Columbia
Greenville
Beaufort

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1 CHAIRMAN JORDAN:

2 All right, ladies and gentlemen, we're going to
3 call the meeting to order. Let me first, as I've
4 done now for -- I believe this is the 11th time,
5 both here in Columbia and across all parts of South
6 Carolina -- let me welcome you all and thank you
7 all for being here this evening taking time out of
8 your schedules to come tell this committee the
9 issues that are important to you relating to
10 reapportionment here in South Carolina. Thank you
11 members of the committee. I think we have a few
12 folks that are en route or coming in as we speak.
13 I believe we're going to be at 100 percent full
14 strength this evening. So again thank you, the
15 membership of the committee, for making this a
16 priority in your lives for the last several weeks.
17 And I know the membership of this committee is
18 inherently interested and excited to hear my speech
19 one more time, as this our final public input
20 period. I'll tell you this. And if you've heard
21 this before -- I see Representative Hosey. You've
22 heard this now for a couple of times. So you're
23 going to suffer through it with us as well again.
24 But I've said this all over the state, that these
25 hearings are simply crucial to the process of

1 redistricting in South Carolina. Here tonight and
2 as we have done ten times previously across the
3 state, we're here to seek your input and insight
4 into the process of redrawing the districts in
5 order to accommodate what we've all seen, the
6 tremendous growth in South Carolina since the 2010
7 Census. The public's input is a key consideration
8 of this committee as we formulate a proposed plan
9 for presentation to the House Judiciary Committee
10 and ultimately adopt a plan for consideration by
11 the full House of Representatives. We recognize
12 this is in no way a small task to redraw
13 legislative and congressional district lines. The
14 judiciary committee may or may not adopt the plan
15 proposed by this ad hoc committee. So, too, the
16 full house of Representatives may or may not adopt
17 the plan proposed by the full judiciary committee.
18 Unlike prior redistricting cycles, the plan that
19 gains approval from the House and later the Senate
20 is no longer subject to advance clearance by the
21 United States Justice Department. This is because
22 in the decade since the last redistricting cycle,
23 the law surrounding redistricting has continued to
24 evolve. And in 2013 the United States Supreme
25 Court struck down a requirement of the Voting

1 Rights Act that required some states to have
2 federal preapproval of redistricting plans.
3 Although we no longer have preclearance
4 obligations, we do have the benefit of working from
5 a redistricting plan that was both approved by the
6 Department of Justice in 2011 and withstood
7 challenge and scrutiny through federal litigation
8 which resulted in the affirmance of the district
9 lines as they are currently drawn. Another
10 difference that certainly we all live through in
11 one shape or form is the unprecedented times of the
12 coronavirus pandemic that continues to impact our
13 country and our state. And of course due to that
14 disruption of the pandemic, the US Census Bureau
15 has been incredibly delayed in the release of the
16 2020 Census data, which has of course led to this
17 process being delayed as we ultimately get to it
18 now. Of course that data has been released and we
19 are excited to begin the map room process. And
20 again in connection as we begin to draw the lines,
21 we look forward to seeing the lines that you submit
22 as well, as has been a criteria in previous
23 redistricting process as this committee sets to
24 adopt the set of criteria that we've used and will
25 use as guideposts in the development of a proposed

1 plan and redrawing of the district lines. The
2 fundamental goal of this committee, as I've said,
3 and the House, is to adopt a plan that assures
4 South Carolina Legislative Districts provide for
5 equal voting rights, traditionally referred to as
6 one person/one vote principle. As applied to the
7 redistricting plan, our district should be of
8 substantially equal population. While the
9 population directive is important, we are here
10 tonight because the committee needs to hear from
11 our constituents, the South Carolina voters, as to
12 how you identify and define your communities. We
13 welcome input as to the important social, cultural,
14 historical context in which you describe your
15 community. Therefore, we can better understand the
16 commonality and connections that matter to you.
17 This hearing is being recorded and it will be
18 transcribed and made available to the public. I
19 believe we're live streaming this evening; is that
20 correct? That's correct. If you wish to speak, we
21 ask that for the sake of order when you come
22 forward please sign in, if you've not already done
23 so. I know we've had several people that have
24 signed up. When you're recognized, please tell us
25 your name, where you're from. If you're presenting

1 on behalf of a group, please identify the group on
2 which you are speaking. Also please tell us about
3 the district or districts you are addressing so
4 that we can understand that as well. Also as I've
5 told ten prior meetings, just so everyone
6 understands, we are here to receive information.
7 This is a forum for you, the public, to express to
8 the committee the issues and concerns that you have
9 related to redistricting. While I and other
10 members of the committee may occasionally make a
11 comment or ask a question, we'll strive to limit
12 our speaking so that we can maximize the time
13 available to you. We traditionally have asked
14 folks to keep the comments to around five minutes.
15 I'm not trying to jinx the committee, but I think
16 folks have done an excellent job of telling us
17 exactly what their concerns are and sticking to
18 that. So we ask for your consideration with that.
19 Certainly we welcome for you to leave us any
20 written documentation, and we're happy to include
21 that with the permanent record. If you want to get
22 that to us, make sure you have your name and
23 address connected with that. And I believe we have
24 sticky notes for you, with that as well. And of
25 course you can always email us. That can go

1 through redistricting@schouse.gov or direct mail to
2 us at House Judiciary. That's 512 Blatt Building
3 at 1105 Pendleton Street, Columbia, South Carolina,
4 29201. Ladies and gentlemen of the committee, I
5 believe that will be the last time you will have to
6 hear that, those remarks. I hear a yes. I thought
7 I'd see applause and fireworks and everything else.
8 This is also the second virtual opportunity, and I
9 think we have folks in the waiting room via teams
10 for that as well. So what I'm going to do is kind
11 of go back and forth depending on our ability to
12 get those folks on the line. So our first person
13 that signed up, Mr. Fann; is that right? Ms. Fann.
14 I'm sorry. You are recognized. Red button, there
15 we go.

16 MS. FANN:

17 Chairman Jordan and committee members, first I'd
18 like to thank you for holding these hearings across
19 the state. I appreciate the opportunity to speak
20 and share my perspective as a new resident of South
21 Carolina. I live in Greer, Greenville County,
22 State House District 18. I couldn't attend the
23 session in Greenville a few weeks ago, but I think
24 it's worth the 90-minute drive to be here at the
25 final House hearing on redistricting today. South

1 Carolina has been a very attractive place to live.
2 According to the Census, 2020 Census, there's a 10
3 percent increase in population since 2010. My
4 husband and I are two of the 500,000 people who
5 relocated here and proud of our choice. We moved
6 because we believed our values and lifestyle would
7 be a better match here. A few small things that
8 actually confirm we made a right decision is our
9 perfectly cooked collard greens, pimento cheese,
10 and a weather that my husband can wear shorts nine
11 months out of 12. But what's more important is the
12 people. Being among other hardworking and generous
13 South Carolinians inspire us to volunteer and get
14 more involved in civic affairs whether it's school
15 board, county council, or state legislature. There
16 are many needs in all aspects of life for people of
17 all backgrounds. I believe that real solutions
18 come from meaningful information sharing, being
19 open minded, but also holding on to principles and
20 taking constructive actions. I would like to pause
21 for a second to thank Representative Elliott along
22 with Representative Dillard, Director Rainwater of
23 South Carolina Revenue and Fiscal Affairs office
24 for holding an online panel on redistricting last
25 Friday. It answered many of my questions and was

1 also a great way to connect public officials and
2 constituents with more transparency and
3 accountability. As a new resident to the state, I
4 have heard concerns for the impact on fellow South
5 Carolinians in some parts of the state due to the
6 influx in other areas. Personally I think each of
7 us can take responsibility to be part of the
8 solution by getting more informed and more
9 involved. As an immigrant, I have been a lawful
10 resident for over a decade in the US and have
11 recently applied for citizenship. I am paying
12 extra attention to redistricting because I value my
13 civic duty and right, and because this is one of
14 the very few countries where citizens from all
15 walks of life can have a say in self governance.
16 Additionally I do not want to be (inaudible) a
17 group just because of my race, not do I want others
18 to assume my social or political views because how
19 I look. I'm an American who lives in Greer, South
20 Carolina. To close I want to thank everyone
21 involved in the redistricting work, especially with
22 the extra challenges resulting from the delayed
23 release of the Census data. As this process moves
24 on, I would appreciate the same timely and
25 transparent communication to facilitate more public

1 participation. Thank you.

2 CHAIRMAN JORDAN:

3 Thank you for your testimony. Representative
4 Elliott.

5 REPRESENTATIVE ELLIOTT:

6 Just briefly. Just make a comment. I've really
7 enjoyed getting to know Ms. Fann and her husband.
8 And I would echo what she said about Mr.
9 Rainwater's presentation. I think I might have
10 sent that to the Chairman. I think it would be
11 good for the members of the House to see it. I
12 mean it's a good primer and summary of what we're
13 doing. So it was very well done and I commend him.

14 CHAIRMAN JORDAN:

15 Thank you. And you did send that, and we'll see if
16 we can't make some copies of that and get that out
17 as well because it was informative. Excellent
18 testimony except you made me hungry there about
19 midway through with the pimento cheese and collard
20 greens. But other than that, all right. We're
21 going to try and go virtual here for just a minute.
22 I believe we have Suzanne Penuel (phonetic).

23 MS. PENUAL:

24 Hi. Am I coming through okay?

25 CHAIRMAN JORDAN:

1 We can hear and see you. How about us?

2 MS. PENUAL:

3 Yes.

4 CHAIRMAN JORDAN:

5 All right, very good. You're recognized.

6 MS. PENUAL:

7 All right, thank you, Representatives, for your
8 service to the State of South Carolina.

9 CHAIRMAN JORDAN:

10 All right, thank you very much and you're good to
11 go. Tell us what you need, what you want us to
12 hear.

13 MS. PENUAL:

14 All right, I'd like to again thank you for your
15 service to this state today and in general. My
16 name is Suzanne Penual. And I've done volunteer
17 work with (inaudible) issues in South Carolina,
18 North Carolina, and lately DC. But it's South
19 Carolina I'm most concerned with. And we can see
20 from problems with recent state legislation that
21 the legislature does need to go to some greater
22 lengths to achieve a body that more accurately
23 reflects the views of South Carolina citizens as a
24 whole. And not only the views of one subset, a
25 very vocal subset of one party. Even if that one

1 party does form a majority of the state's voters,
2 as we know, recent legislation such as the K12 mask
3 mandate bans and the attempts to restrict freedom
4 of speech in the form of what I can only call
5 hysteria about critical race theory. That
6 legislation is a clear indication that South
7 Carolina's government has tipped a little too far
8 in the direction of an uninformed very ideological
9 and very vocal again subset of the populist. And
10 I'd like to say that even many members of the party
11 in charge have communicated both publicly and
12 privately to me that current legislative efforts do
13 not represent the beliefs and desires of most of
14 the state's citizenry. One of the only solutions
15 to that is to draw districts that will make it more
16 likely that extremist voices will be balanced out
17 by others. And I think I've got to acknowledge
18 that those other voices may be just as uninformed,
19 but at least there will be the possibility of
20 moderation in law making when the ideologies have
21 to compete with each other in more meaningful ways
22 than they do now. So I really hope that the
23 redistricting committee makes sure that citizens,
24 for example, have their voices heard more than they
25 do now. Having district lines that encourage the

1 representation of progressive views in the
2 legislature would make not just for better handling
3 of the pandemic, to name only the more recent
4 issue, but for the state's other needs as well. If
5 we don't, without a more balanced representation in
6 this legislature, I think here's what we can look
7 forward to. More courts striking down ballot
8 legislation written solely in an attempt to please
9 a very narrow side of the base of one party, and
10 even a heightened possibility of political violence
11 which I think we can all do without. Thank you for
12 your time today.

13 CHAIRMAN JORDAN:

14 Thank you, Ms. Penuel, for your testimony this
15 evening.

16 MS. PENUAL:

17 Thank you.

18 CHAIRMAN JORDAN:

19 All right, we're going to go back and forth here.
20 So next up, Mr. Craig Little. Okay, Brett Bursey?
21 And while Mr. Bursey's coming, we're going to have
22 Mr. Curtis asking on deck in the virtual.

23 MR. BURSEY:

24 (Inaudible) Jordan. I have something that I will
25 speak to. We will also send you an electronic copy

1 so you'll have it to share. I'm Brett Bursey. I'm
2 the executive director of the South Carolina
3 Progressive Network's Education fund. It's a 26-
4 year-old policy and research organization that
5 started out as nonpartisan. We are actually now
6 feeling more anti-partisan as we come to greater
7 understanding of what George Washington warned us
8 about, not to start parties or we'll end up with
9 two that fight amongst themselves for money and
10 power. And I'm old enough to watch that happen
11 here in South Carolina, at the University in the
12 '60s when there were no Black elected officials
13 that could be sitting with you. In 1970 the United
14 Citizens Party forced the democratic party to
15 integrate. By 1994 that -- redistricting in 1990,
16 Phil Leventis, a good friend of mine, a champion of
17 democratic issues in this government, in the Senate
18 for 30 years here, he watched four redistricting
19 processes happen in 1990 in the first two years.
20 It wasn't until '92 that the new maps went into
21 effect and the republicans started getting
22 dominance. Republicans took control of the House
23 in '92. So they went from -- well, the little
24 handout I gave you, that's got the colored boxes in
25 it. The balance in '92 before the maps kicked in

1 was 73 democrats and 50 republicans. By '94 it had
2 flipped to -- well, it didn't -- to 62 republicans.
3 In '92 Gilda Cobb Hunter and Joe Neal came into
4 office, and I was already doing civil rights and
5 social justice work. And it was a great hurricane
6 of fresh air, because the those two representatives
7 I've worked with for nearly -- well, well over 30
8 years now, that actually believe in small D
9 democracy. And so what I want to do today is to
10 not talk about all the problems that you've heard
11 about the system that you've inherited. And I'm
12 not going to blame any one of you for not being an
13 actual small D democratic regardless of whether
14 there's an R or a D next to your name, because it's
15 a process that you have inherited and it's one that
16 you think you can't change because it's woven into
17 the Constitution. And so what I want to do is to
18 give you an opportunity to let the people pick the
19 politicians. Because what we're doing now, this
20 will be the fourth redistricting I've watched,
21 that's so transparent. It's just bad theater,
22 folks. And that if you don't speak up against,
23 that you are then part of it and you do not trust
24 the people. And this is not unfortunately a
25 democracy. We have right now the least

1 competitive, amongst the least competitive
2 elections in the United States. This is the only
3 state with no laws regulating the business that you
4 do governing redistricting. The United States of
5 America is ranking way down in the life quality
6 charts of the 34 nations that have better turnout
7 than we do. We are not leading the world in
8 democracy. We're not practicing democracy. In
9 2018 I worked on and Cobb Hunter introduced
10 legislation for a citizens redistricting
11 commission, truly non-partisan citizens
12 redistricting commission. You, the three-quarters
13 of your body -- two-thirds of your body, excuse me,
14 are the only people that can change the way we
15 choose our own politicians. So until you step up
16 and accept that responsibility, we are going to be
17 left playing a game that fewer and fewer people are
18 participating in. As I mentioned, there were no
19 Black elected officials when I registered to vote.
20 And there were none until 1970. By 1994, the
21 diminution of participation of people in color
22 started and we now have probably a cap of 44, 45
23 seats no matter what you do. No matter how you
24 rearrange your maps, you're not going to be able to
25 make a competitive outcome where the people will be

1 able to elect somebody that represents their values
2 of the best policies as opposed to an R or a D
3 before or after their name. Seventy percent of
4 your colleagues in the House and Senate are the
5 only name on people's ballot to choose for Senate
6 or House of Representatives. Vladimir Putin only
7 got 69 percent. So what we're going now, we used
8 to make fun of, about Soviet style elections. I've
9 been living in Lexington County for a long time
10 now. Twenty-six years there was only one person on
11 the ballot that I could vote for, for House. And
12 my House member now tells me that, oh, all we have
13 to do is get more people to register to vote. No,
14 it won't, unless we change the reapportionment of
15 people to be competitive. What you're leaving out
16 of your metric when you draw your lines is
17 competition. What each one of us, you and your
18 children and me and my family will benefit from is
19 having the person that wins the election have to
20 represent people's hopes and dreams that don't look
21 like them. Right now we've got 13.5 percent of the
22 voters are electing the majority of the body of the
23 170 in the Republican Primary, 13.5 percent. I've
24 given you a study that the University of South
25 Carolina did for us in 2018. They talked to nearly

1 900 people. The counties are on the back page.
2 The inside back page shows that I think 62.5
3 percent of republicans, 65 percent of citizens that
4 they interviewed say that you, the legislators,
5 should not draw the maps. You're playing a losing
6 hand. I'm giving you an opportunity to come out
7 and tell your constituents that you will support
8 putting a constitutional amendment on the ballot
9 hopefully in 2022, if not 2024. We still haven't
10 passed the equal rights amendment. So these things
11 take time. But you're running out of time to be
12 able to restore any kind of faith in a judicious
13 and democratic society. So put a constitutional
14 question on the ballot that lets the people pick
15 the voters, the voters pick the politicians, and
16 let them vote on it. If you don't trust the people
17 to vote on that, I think you've let us all down. I
18 don't know that you have any questions, but I'm
19 certainly standing by at all times available
20 because this obviously is one of my favorite
21 subjects I've been working on. And I'm just really
22 sticking with it, because it's worth the fight.
23 Thank you.

24 CHAIRMAN JORDAN:

25 Thank you, Mr. Bursey. All right, I believe we

1 have Mr. Curtis Eskew in the virtual. Can you hear
2 us? I think you're muted, Mr. Eskew. We can see
3 you. And it appears from the screen that you're
4 muted on your end.

5 FEMALE SPEAKER:

6 It's at the top of the toolbar. You'll see kind of
7 something that looks like a volume sign. You right
8 click on that. It'll give you the opportunity to
9 un-mute.

10 CHAIRMAN JORDAN:

11 I'll tell you what. Why don't you continue to look
12 for that, and then I'm going to move on. I'm going
13 to come back to the folks in the room here. All
14 right, I'm going to call Mr. Eric Johnson up.

15 MR. ESKEW:

16 Can you hear me?

17 CHAIRMAN JORDAN:

18 Yeah, now we can hear you.

19 MR. ESKEW:

20 All righty, okay. Thank you very much. Good
21 afternoon. Can you all still hear me?

22 CHAIRMAN JORDAN:

23 We can, yes, sir.

24 MR. ESKEW:

25 Okay, I'm going to proceed then, if you don't mind.

1 Mr. Chairman and members of the committee, my name
2 is Curtis Eskew and I'm a resident of Greenville
3 County. I'm a registered in the present precinct
4 that covers Fourth Congressional District, SC 21
5 and SC Seventh District 21. I'm speaking today
6 because one of the principal collaborates of the
7 Equal Input Collaborate, a group of concerned
8 citizens across the state, hold our unique
9 (inaudible) and apply that to the 2020
10 redistricting process. So it's my time. I want to
11 focus the committee's attention on two problems
12 (inaudible) solution as a remedy. Regarding the
13 (inaudible) the Collaborate will call attention of
14 the committee to the guidelines which (inaudible)
15 those of the Senate Redistricting Committee. We
16 are (inaudible) flawed, because they only provide
17 lip service to the ideals. More concretely, since
18 the (inaudible) dictionary defines process as it a
19 continuous regular session of act in kind will
20 perform any (inaudible). It is not possible to
21 complain that the current guidelines meet the test
22 (inaudible) because they draw a clear distinction
23 between district (inaudible) principles and how
24 those principles relate to one another. Indeed
25 (inaudible) three distinct categories; establish a

1 precedent related (inaudible) constitute
2 consideration; legal (inaudible) test and
3 (inaudible) that have not (inaudible). With this
4 (inaudible) criteria case law (inaudible). The
5 current guidelines omitted (inaudible). The
6 guidelines introduce that concept incorrectly by
7 (inaudible) and encompass a purely vocal criteria.
8 Then to the committee's guideline, the issue
9 compacted a distinctly (inaudible) and inexplicably
10 substitute the less (inaudible) criteria of
11 boundaries after 2000 as a definition for the term.
12 Taken together it was not (inaudible) current
13 guidelines present a systematic approach since the
14 definition of (inaudible) intent of complying with
15 the Constitution, Federal Law, and the State
16 Constitution are so poorly defined that it becomes
17 unclear the resulting (inaudible). The second
18 (inaudible) call the attention of the committee to
19 is (inaudible) from the committee what our plans
20 indicate, either its old plans or those admitted.
21 Although (inaudible) public hearings to discuss
22 plans, a promise of (inaudible) in no way
23 (inaudible) whether the public will have access to
24 the underlying (inaudible) dates, data plans on
25 consideration, or a description of how plans

1 submitted will address what in your own guidelines
2 (inaudible). All criteria identified in these
3 guidelines had been (inaudible). This is
4 (inaudible) because it's highly problematic that
5 while both sides have had ample opportunity to not
6 only develop (inaudible) redistricting, but also
7 (inaudible) for gathering and making that
8 information (inaudible) through the process by
9 limiting the number of hearings. And in the case
10 of this committee, refusing to make (inaudible)
11 sessions available (inaudible). Considering
12 (inaudible) said, the Collaborative reiterates what
13 we stated in our testimony in front of the Senate
14 Redistricting Committee on this very topic. Namely
15 (inaudible) impossible to develop maps that not
16 only adhere to the state of intent of complying
17 with both equal (inaudible) population and non-
18 diminution of the (inaudible). But we believe it
19 is possible to create a standard we make
20 communities' interests the principal balancing
21 (inaudible) and that the definition of said
22 communities actually operates based on (inaudible)
23 we call honeycomb. The technique of honeycomb is
24 rather (inaudible) and straightforward application
25 of longstanding geospatial (inaudible) or its easy

1 spacial characterization boundaries not previously
2 (inaudible). Presuming the (inaudible) honeycomb
3 technique is adopted, three things could occur.
4 The first is that all (inaudible) continuity,
5 compactness, community interest an (inaudible) can
6 be more rectified in spatial concept settings. The
7 second (inaudible) accomplished is (inaudible)
8 avoidance of (inaudible) since its definitions of
9 community interest also being a (inaudible) can
10 easily be detected (inaudible). Finally,
11 honeycombing encourages those presenting plans
12 (inaudible) in the plans they (inaudible)
13 definitions apply to anyone should be (inaudible)
14 presented map in the same data method. If you're
15 wondering how roughly about 800 plus (inaudible).
16 I'm going to summarize and close by saying that the
17 Collaborative, Equal Input Collaborative
18 (inaudible) at the approach to the current
19 redistricting cycle cannot be characterized as a
20 government process because the concepts used are
21 muddled. There is no (inaudible) process to even
22 attempt to apply the (inaudible) identify
23 guidelines. Because of this (inaudible) ask the
24 committee to pay close attention or observations
25 and adopt (inaudible) technique. Assume that

1 happens, the committee will (inaudible) because the
2 (inaudible) will reflect the interest of all
3 residents and not just the dominant political party
4 and/or incumbents. Thank you.

5 CHAIRMAN:

6 Mr. Eskew, can you hear me?

7 MR. ESKEW:

8 Yes, I can.

9 CHAIRMAN:

10 So during the course of your presentation, we had
11 an echo problem and you would kind of come in and
12 out on us. I could tell, I think, most of what you
13 were telling us was in written form. I've asked
14 Ms. Dean, legal counsel for the Judiciary
15 Committee. She's going to send you an email. And
16 if you don't mind, it would help the committee
17 greatly because of the technical issue, if you
18 could provide your comments in writing to us so
19 that we can have those, if that's okay.

20 MR. ESKEW:

21 That is perfectly all right, and we have fully
22 prepared to submit that material to you.

23 CHAIRMAN JORDAN:

24 Thank you so much.

25 MR. ESKEW:

1 Thank you.

2 CHAIRMAN JORDAN:

3 All right, I believe we have Eric Johnson here with
4 us. And, Mr. Johnson, give me just one second.
5 After Mr. Johnson will be Dorothy Reeves online.
6 So with that, Mr. Johnson.

7 MR. JOHNSON:

8 Okay. First and foremost, good evening, Chair and
9 Members of the House Redistricting Ad Hoc
10 Committee. I'd like to thank you for the
11 opportunity to provide my testimony. My name is
12 Eric Johnson. I'm a longtime Columbia, South
13 Carolina resident where I've resided for over 28
14 years. I'm a community organizer with the South
15 Carolina Poor People's Campaign. And I'm also
16 founder of Unified Citizens, Inc., a 501-C-3
17 nonprofit organization that seeks to end food
18 insecurity, homelessness, and health disparities.
19 I also own and operate Johnson Media Limited
20 Company. Of course I'm not here to talk about the
21 COVID-19 aid. The governor wanted to allocate the
22 private schools tuition grants or how certain
23 legislators insist on controlling a woman's body
24 while failing to protect citizens during the
25 current pandemic. I'm here to ask for fair maps

1 and a fair redistricting process. When it comes
2 the allocation of political power in Congress and
3 the State Legislature, it has become extremely
4 clear to myself and other constituents across South
5 Carolina whose best interests are being served. It
6 has also been made clear that the least of these
7 amongst us who have been crying out for so long to
8 their elected officials have given up on the
9 political process, which has a tremendous impact on
10 voter participation. We must protect our democracy
11 from the power and the influence of big donors and
12 special interest groups that are being served
13 instead to restore that lost faith. It is a shame
14 that voters of color make up almost 30 percent of
15 the population of South Carolina, but only have the
16 chance to elect a preferred candidate in one of the
17 seven congressional districts, which says a lot
18 when it comes to representation. Therefore, those
19 involved in the redistricting process must ensure
20 the following. That districts are equal in size
21 and reflect the changes in diversity that would
22 allow for a fair chance to elect a preferred
23 candidate of choice. Boundaries cannot be drawn
24 for the purpose of favoring or disfavoring a
25 particular political party. Communities of color

1 are not fractured across multiple districts and are
2 packed together in a single district. And once
3 draft maps are released, that adequate time is
4 allocated for public input and response to the
5 changes made. Therefore, no maps shall be adopted
6 that fails to protect the voting power of
7 historically disenfranchised communities. In
8 closing, it's no secret that past redistricting
9 practices and tactics have resulted in unequal
10 voting power and therefore must be corrected in
11 order to save our democracy. So I thank you for
12 listening. And while I breathe, I hope that this
13 redistricting process puts an end to the unfair
14 maps. Thank you.

15 CHAIRMAN JORDAN:

16 Thank you, Mr. Johnson. All right, we're going to
17 try and get Ms. Reeves on the line. Ms. Reeves,
18 let us know when you can hear us.

19 FEMALE VOICE:

20 If you just do the microphone that's right next to
21 the camera. I think you just hit the camera
22 button. So it's the one that almost looks like a
23 flower, I guess. There you go.

24 CHAIRMAN JORDAN:

25 Ms. Reeves, can you hear and see us?

1 MS. REEVES:

2 Yes, I can.

3 CHAIRMAN JORDAN:

4 First let me thank you for participating. I
5 believe you were at our Myrtle Beach meeting back
6 several weeks ago; is that right?

7 MS. REEVES:

8 Yes, that's correct.

9 CHAIRMAN JORDAN:

10 Okay, so first let me also use this as an
11 opportunity to tell everyone and put on the record
12 unfortunately we had a technical issue in the
13 recording of that meeting and we were not able to
14 get 100 percent of the comments that were given to
15 our committee recorded and, therefore, transcribed.
16 Fortunately, two things. Fortunately 100 percent
17 of our committee was present that night and heard
18 all the comments that were given that evening. And
19 secondly, our records indicated those that were in
20 attendance, you being one of those folks, and we
21 were able to reach out and get you to participate
22 today so that your thoughts and views from back
23 then could be certainly documented and recorded.
24 So thank you for participating. Technology is a
25 wonderful thing when it works. And with that, I'll

1 recognize you to address the committee.

2 MS. REEVES:

3 Well, thank you, Chairman. As you have said, I am
4 Reverend Katrina Reeves. Dorothy Katrina Reeves,
5 and I reside in Conway, South Carolina, in Horry
6 County, which I am proud to be. My concerns. I
7 would like to thank everyone who spoke before me,
8 because they have spoken of the desires of my
9 heart, things that I am truly concerned about.
10 Every one of the speakers's testimonies before me.
11 But I come because my concern is for my children,
12 our children, and our children's children and their
13 children. I consider myself to be well versed
14 about what is going on in our community. I try to
15 stay aware of, you know, what's happening
16 politically everywhere. So I'm on the internet.
17 I'm in meetings. I'm on boards, joining boards.
18 I'm just present. If not to participate, but to
19 learn and also relearn. And when I heard the word
20 "redistricting", my heart just continued to pound
21 because it was something that I was not aware of
22 that was so very, very important. So I reached out
23 and I kept finding that it wasn't -- our
24 communities wasn't aware. I was originally raised
25 in Green Sea and Loris community. And so I went to

1 that area, to several people in those areas and I
2 asked them are you aware of what is going on. Are
3 you aware that after the Census there's a process
4 called redistricting that affects how you vote and
5 where you vote, and who you vote for? And I spoke
6 with individuals who I considered to be -- have
7 their ear to the road about what is going on, to
8 the heartbeat of our community about what is going
9 on. And they were not aware. And then at my first
10 meeting with the Senate, Luke Rankin and Mr.
11 Bellamy, councilmen here, Councilman Bellamy and
12 several others that I had the privilege of meeting,
13 they commented that, oh, well, it's on the
14 internet. And I'm like, well, no, it's not. It's
15 not on the internet. It may be, but it's not there
16 enough for our use and our young adults and our
17 young families who will be a part of this community
18 more so than I, in the next 10 to 20 years to know
19 about. So that's why I'm here. I'm here because
20 there are funds that has -- from what I've been
21 told, there are funds that has been allocated for
22 broadcasting this information about redistricting,
23 but yet it's not being advertised. It's not put in
24 communities where our young people, young families
25 or the next generations will know what it really

1 means. I heard a gentleman say earlier that he's
2 been to several of these redistricting meetings
3 because he is -- it is important to him. Well,
4 this is my first meeting and it is very, very
5 important to me. So I ask you, the committee, to
6 please, please make sure that everyone in every
7 community knows what redistricting is, to find a
8 way to include us on these panels, to find a way to
9 invite us to sit at the table, to find a way when
10 the map is being drawn to include people who look
11 like me or people who don't look like me. But
12 people who live in those communities, Green Sea.
13 Some of you all are familiar with Loris, and
14 there's a little store in the Green Sea community
15 called Sugar Bear's. And I guarantee you, if you
16 sat there in your car and had a conversation with
17 someone who went in that store, who considers
18 themselves very smart, they would say
19 redistricting? What does that actually mean, and
20 how does that affect me? And in Conway I have
21 polled myself, and they are scratching their heads.
22 And I'm talking about well educated people where
23 this has fallen through the cracks. So that is
24 what is beating my heart, is that you all include
25 us at the table, include this information to go out

1 in ways that all hear it, include us at the table
2 when the maps are drawn. Train -- and I'm going to
3 go biblical. Train the children in the way that
4 they should go. And even if they turn away, they
5 will come back. That's what needs to be done. We
6 have a program called Palmetto Kids, and we work
7 with CCU students. Some are local. And I
8 guarantee you at our last meeting I polled those
9 students, freshman through seniors, and none of
10 them had the idea that redistricting was going on.
11 So, please, please call me and I'll get the
12 information out and invite me to the table. I
13 would love to see what the drawing of the map is
14 about. So thank you again, Committee, and thank
15 you again, Chairman. And thank everyone who has
16 taken their time out of their day to speak. Thank
17 you.

18 CHAIRMAN JORDAN:

19 Thank you, Reverend Reeves. Thank you for your
20 comments. I think I'm the only person on the
21 committee who has been to Sugar Bear's. But I hope
22 I see you next time I'm passing through that area.

23 MS. REEVES:

24 All right, bless you.

25 CHAIRMAN JORDAN:

1 All right, Annetta Glover. Oveta.

2 MS. GLOVER:

3 I am wearing several hats today. One is the
4 president of the Columbia branch NAACP. The other
5 is the president of Friends United as a
6 Neighborhood Development Society. And the most
7 important is the resident that I am here in
8 Richland County, Columbia, South Carolina and a
9 native of South Carolina. Now we understand that
10 the maps drawn in 2021 will determine the
11 allocations of political power and representations
12 at every level of government right here in Richland
13 County and throughout the State of South Carolina.
14 We care about the healthcares, voting rights,
15 racial justice, and education. That is just to
16 mention a few. As for myself, I am very concerned
17 about the equality for all, especially when it
18 comes to education. You see, I was one of the
19 first to integrate the schools here in South
20 Carolina back in 1963, Brown versus Charleston
21 School District 20. And I am appalled at the fact
22 that some of the systems, the school systems are
23 reversing and this is 2021 and it would not be.
24 When you draw those lines, you need to pay
25 attention. I ask or we ask of you to pay attention

1 to how you are drawing the lines, and don't forget
2 from whence you came. Redistricting to ensure or
3 secure electronic competitive districts and that
4 voters pick their elected officials. Redrawing the
5 lines should reflect fairness for all. Not just
6 for now, but for always, especially in our rural
7 areas. Within the last ten years, Richland County
8 -- and you see I'm prejudiced, because I live in
9 the area, and South Carolina has grown. Therefore,
10 it has grown in population and diversity. As the
11 young lady said earlier, she is glad she is here
12 and we are glad to have you. So redistricting
13 should encourage the community as the word spells
14 at the end of it, it says unity. And protect
15 communities of interest. Drawing the lines should
16 not be drawn to protect politicians or create safe
17 districts where elections are uncompetitive or
18 uncontested. Partisan redistricting should be
19 avoided, because it puts political considerations
20 ahead of the community interest and further erodes
21 the public's trust in elected officials. Partisan
22 restricting should be avoided because it results in
23 the elections of candidates whose views represent
24 the extreme fringe of a political party. Our plea
25 is and will be that you remember diversity and

1 remember the vote is our voice. We will speak
2 louder. We also ask that you remember our youth
3 and our seasoned communities. They are our most
4 important as well. So when you draw and take those
5 colored pens to draw those lines, please remember
6 those two. You're going from one to the other, the
7 youth to the seasoned. And we all need the above
8 mentioned aspects of life right here, Columbia,
9 South Carolina and the State of South Carolina.
10 Again I challenge you. I challenge all of you to
11 remember from whence you came and help us move
12 forward to where we need to be in 2021 and the next
13 ten years. I thank you.

14 CHAIRMAN JORDAN:

15 Thank you, Ms. Oveta Glover. All right, we're
16 going to go back virtual. I believe we have Mr.
17 Cedrick-Blain Spain next up.

18 FEMALE SPEAKER:

19 Mr. Blain-Spain, you appear to be muted still. If
20 you look in the top right-hand corner, there's a
21 microphone, if you can click on that. It's kind of
22 like an oval with -- almost looks like an oval
23 flower, little stem at the bottom. Excellent.
24 That's the camera. And so right next to the camera
25 there's the microphone. There we go. I think we

1 can hear you now.

2 MR. BLAIN-SPAIN:

3 Good afternoon. Thank you, Mr. Chairman. I'm
4 Cedric D. Blain-Spain, Clergy, Community Activist,
5 State Executive Committee man and Council Member
6 for the Horry County Democratic Party in South
7 Carolina, Seventh Congressional District. I live
8 in Senate District 28, House District -- excuse me.
9 Senate District 32, House District 58, and
10 Congressional District 7. I've submitted my
11 testimony by email also for the record. I began by
12 quoting an excerpt from an article I read.

13 "Without a doubt, gerrymandering is socially,
14 politically destructive whether practiced by
15 republicans, democrats, or hypothetical third
16 parties. Gerrymandering demoralizes and
17 disenfranchises voters, fragmented communities,
18 contributes to the high polarization of ideological
19 segregation and of our politics and undermines
20 trust in the government. Gerrymandering is a tool
21 of the nomination, and wherein a majority of a
22 party seeks to enshrine their advantage and
23 dominion over time by rendering powerless any
24 voters with the sitting perspectives. Nomination
25 breeds despair and despair breeds low voter

1 turnout. Rates in the cycle of disempowerment
2 evolves from there." Apathy is not an unreasonable
3 response to a system that wastes my voting
4 potential, even before I get to the ballot box.
5 For the followers of Jesus or any religious beliefs
6 or nonbelievers of organized religion,
7 gerrymandering undercuts our fundamental vow to
8 respect the dignity of every human being. Self-
9 determination and active communal solidarity are
10 both crucial components of human dignity.
11 Therefore, anything that discourages meaningful
12 participation in the politics that shape our common
13 life is an affront to human dignity. There's a
14 passage of scripture, Psalm 16-268. Says, "The
15 lines are falling unto me in pleasant places. Yea,
16 I have a godly heritage. I will bless the Lord who
17 have given me counsel. My rings also instruct me
18 in the night seasons. I've set the Lord always
19 before me, because is at my right hand. I shall
20 not be removed." I'm not sure a community of
21 interest really means anything, because if that
22 term were used in 2010 like we perceive it in 2021
23 they are not in the best interest of redistricting.
24 For us in Horry County, we have lived in the past
25 ten years in horror because of our communities of

1 interest were used to crack and pack, and we're
2 still looking for competitive districts. The Black
3 communities of Horry County were split four ways or
4 more to House seat 57, 58, 103, and 105. And other
5 districts across the county suffered the same
6 horror. The cracking and packing kept any Black
7 African American or person of color from even being
8 considered for running for public office on an even
9 playing field. More or less the whites that live
10 in under served, and as much as they hate to admit
11 it, poverty zones of the county, couldn't even run
12 even if it costs a slice of bread. In one of Dr.
13 Maya Angelou speeches she said I want to see some
14 fairness. I mean to say and this evening I say to
15 this (inaudible) panel and conduits of having to
16 draw and redraw district lines here in South
17 Carolina. I want to see fairness in drawing and
18 redrawing district lines. I mean to say I want to
19 see the integrity of the House Committee, South
20 Carolina General Assembly on down to county and
21 municipalities and all others from state to local
22 join fair district lines. We want fair competitive
23 districts. We mean to say we want to see South
24 Carolina be a model state that will not -- it won't
25 take federal or state laws to prevent cracking and

1 packing districts. I mean to say we want fairness
2 that elected officials will no longer choose their
3 voters, but voters get to choose their elected
4 officials. I mean to say I want to see fairness
5 where regardless of race, color, or creed, socio or
6 economic status, it's possible anyone is able to
7 run for public office and elected and appointed to
8 seats without being manipulated from any political
9 party or corruption. I mean to say whether one
10 believes it or not, in life you reap what you sow.
11 And the universe never forgets good, bad, or
12 indifferent. I mean to say we're looking at all of
13 those redistricting public hearings, where we look
14 for words and actions to become deeds to meet the
15 needs. And when the lines have been drawn, that
16 they have fallen in great places. I mean to say we
17 hope no longer to look at someone through like
18 paint up on a wall or ran down, or it looked like
19 some child in child development just learning how
20 to draw drew our maps. I mean to say you're our
21 elected officials and the lead committee. We
22 believe you are elected officials and an ad hoc
23 committee of integrity and shall do right by the
24 citizens of South Carolina. I mean to say we know
25 the ball is in your court. We want competitive

1 districts. We want districts that represent the
2 people that live in the district that help make
3 South Carolina what it is. Don't forget about the
4 natives who have built this state ground by ground,
5 round by round. I mean to say we want fairness.
6 Again I thank you for this opportunity and may your
7 endeavors be crowned with great wisdom. I yield
8 back.

9 CHAIRMAN JORDAN:

10 Thank you, sir. Thank you for your comments.

11 MR. BLAIN-SPAIN:

12 You're welcome.

13 CHAIRMAN JORDAN:

14 All right, McClean John.

15 MR. JOHN:

16 That's me.

17 CHAIRMAN JORDAN:

18 Yes, sir.

19 MR. JOHN:

20 First of all, I want to thank you all for having
21 this hearing. And I know you all got a difficult
22 decision to make, and you're not going to please
23 everybody because somebody's going to complain.
24 And, me, I'm the one to complain, you know. That's
25 how people are sometimes, because you can't please

1 everybody all the time. And if you ask me, Mr.
2 Chairman, and members of the committee, the
3 Department of Justice has got too big for its
4 britches. We still have state rights. It's in the
5 Constitution of the United States, but that's gone
6 out the window. It's, oh, you can't do this. If
7 the guy was talking about war healing, in the early
8 20th Century they had that gerrymandering. They
9 got rid of it. Well, you could vote for a person
10 who you please whether they lived ten miles from
11 you or 35 miles from you. And if you liked that
12 person, you voted for him. But they want to
13 protect themselves. Oh, you can't -- for example,
14 I had Joe Wilson as my congressman. Well, they
15 gerrymandered him out, because if you call they got
16 him in Aiken and Lexington and parts of Richland.
17 Well, one time he had to go all the way down to
18 Beaufort, South Carolina, about 120 miles from
19 Columbia. Now you got Jim Clyburn who's in
20 Charleston County. He runs from Charleston County
21 all the way to Columbia, South Carolina. Now
22 that's 115 miles from here. Why does somebody have
23 115 miles from Charleston to Columbia, South
24 Carolina? It don't make sense, Mr. Chairman. You
25 need people to live close by in your neighborhood

1 where you can call them and say -- and talk to
2 them. I know people work. They don't get to see
3 the people up the State House every day, because
4 you got lawyers. And I'm tired of hearing the word
5 democracy. If you say the pledge of allegiance to
6 the flag, it says to the republic. The United
7 States is a republic. It's not a democracy. And I
8 get tired of hearing, oh, democracy, democracy.
9 That's not what it is, and I just want fairness. I
10 got nothing personal against Jim Clyburn, but who's
11 going to run against him? Nobody, not a soul. And
12 this is a Black democratic. If you're a white
13 republican, you're the white mouse in the raise
14 because you're the minority. And that ain't the
15 way the situation was set up. And they wonder why
16 people don't turn out to vote, because you don't
17 have a chance to beat an incumbent because they win
18 99 out of 100 races unless they retire and don't
19 want to seek reelection anymore. And then you have
20 maybe five or six or seven people going to run for
21 that seat. All I'm doing is saying don't have
22 these districts all the way to Beaufort. And I
23 know you all live in different counties and
24 different places like that. But, I mean, Jim
25 Clyburn all the way from Charleston to Columbia,

1 South Carolina? It is ridiculous. And it favors
2 him. If you recall last year or two years ago, the
3 North Carolina sued the line being drawn up from
4 Wilmington, North Carolina up to Kitty Hawk, all
5 the way back down through counties to Charlotte,
6 North Carolina. The people rejected that. I don't
7 know it came out. And I'm rejecting these 110
8 miles from Columbia, South Carolina representing
9 me. And districts from Charleston, they have
10 representatives in Charleston that are supposed to
11 represent Charleston, South Carolina, not Jim
12 Clyburn. And Joe Wilson, like I said, he goes down
13 to Beaufort, South Carolina, but he lives in
14 Lexington. They're drawing these lines to favor
15 one candidate over another candidate is
16 preposterous. You have no competition. That's why
17 people run unopposed. If somebody like me
18 announced for office, I wouldn't stand a chance
19 because you know being an incumbent y'all are going
20 to win 99 out of 100 races. Every now and then you
21 might get upset like Kentucky beat Florida this
22 weekend, first time in 35 years. Something like
23 that. But you can upset them, but there's no
24 public interest. I know you all listen to the
25 lobbyists. And then the federal government's going

1 to come down here and says, oh, that ain't the way
2 it's supposed to be, Mr. Chairman. You got to draw
3 this line the way it is and represent Black or
4 White people, you know. And like I say, I'm a
5 white minority. And nobody's going to run against
6 Jim Clyburn. I'm just using him for an example.
7 He's got it made in the shade. I don't. I had
8 nobody representing me. I mean he's my
9 representative, don't get me wrong, but you can't
10 talk to him because he's in Washington 90 percent
11 of the time and all that. And they don't even
12 return your phone calls. I don't care if it's Joe
13 Wilson, Lindsey Graham. Oh, you've reached
14 Senator's so and so office, please leave a message.
15 And the people don't turn out to vote and all that.
16 Like I say, we're a republic. We still have state
17 rights. And the Department of Justice has got no
18 business telling people how to vote. Like I say,
19 they want to old (inaudible) system. In the early
20 20th Century, they got rid of that gerrymandering,
21 like the pastor said, and they went to who you
22 could vote for. And that's why if I want to vote
23 somebody in the (inaudible) system that live 40
24 miles from me, I can. But I don't have that right
25 anymore. It's like our (inaudible) rights are

1 being taken away from us, gentlemen, and they just
2 -- we're still entitled to certain (inaudible)
3 rights, and I want to know why come my rights are
4 being taken away from me when I can't vote for who
5 I want to. I have to vote for that person. I got
6 no other choice. And I say what's the use to vote?
7 And that's what people tell me, what's the use to
8 vote? They ain't going to do nothing for you
9 anyway. He's been sitting up there 20, 30 years,
10 40 years, whatever. And I hope I get my point
11 across, because I'm a little mad at the Department
12 of Justice because we have rights. But they done
13 got too big for their britches. And they're, oh,
14 you just can't do that. They'll be sending the big
15 boys down here, going to tell you all what to do,
16 Mr. Chairman and members. Oh, you can't do that.
17 You're taking him out of districts and her out of
18 that district, and now you're going to sit there
19 and tell me y'all going to get (inaudible) from
20 Charleston to Columbia, South Carolina. Like I
21 say, they took Joe Wilson from Beaufort, South
22 Carolina and put him in Richland and Lexington and
23 close to -- and parts of Richland (inaudible) where
24 you could vote. God dang, when he was in Beaufort,
25 South Carolina, that's 110 miles from here and that

1 was ten years ago. So was Jim Clyburn. You got no
2 other choice but not to vote for him. And that's
3 why I -- I mean, I could go on and on and on. But
4 we still have state rights, and start using state
5 rights. And I'm from the convention of states who
6 have rights. They overturn the Constitution of the
7 United States and bring it back to the states. Get
8 the federal government -- Ronald Reagan said this
9 40 years ago. What we have is too much federal
10 government interfering with people's lives. And
11 he's absolutely correct, whether you voted for him
12 or not. Thank you very much, Mr. Chairman. I
13 appreciate you having this hearing, but do the
14 right thing. Shorten up some of these districts
15 where people can vote who they want to instead of,
16 well, I got to vote for this guy. I got to vote
17 for her. I ain't got no other choice. What's the
18 use to voting? I'm just going to stay home and not
19 vote. The political process, we don't have no
20 other choices anymore. So thank you, Mr. Chairman
21 and members of the panel. Thank you so much.

22 CHAIRMAN JORDAN:

23 Thank you, sir. You've given us -- I've filled up
24 a page.

25 MR. JOHN:

1 All right, thank you. Appreciate you.

2 MR. CHAIRMAN:

3 You've given us a lot to think about.

4 (BACKGROUND DISCUSSIONS)

5 FEMALE SPEAKER:

6 Ms. Fleming, you're muted right now.

7 CHAIRMAN JORDAN:

8 There we go. All right, Ms. Fleming, we can hear
9 and see you, I believe. So you're recognized to
10 address the committee.

11 MS. FLEMING:

12 Thank you so much, Mr. Chairman. Good afternoon
13 members of the South Carolina House Redistricting
14 Committee. I thank you for this opportunity for me
15 to be heard during this redistricting process. I'm
16 Lillian Brock Fleming, a native Greenvillian. I'm
17 a retired recruitment specialist for Greenville
18 County Schools, former high school math teacher,
19 currently Mayor Pro Tem for the City of Greenville.
20 I'm past president of the Municipal Association of
21 South Carolina, wife, grandmother, great
22 grandmother. I live in State District, Senate
23 District 7, House District 23. I'm a very active
24 member of my community. I'm a life member of the
25 NAACP, a life member of the Girl Scouts from the

1 Mountains of the Midlands, and many other community
2 services. And I'm glad to be here to speak, to ask
3 you not to limit the political power of the
4 citizens of this state when we draw the maps for
5 redistricting. The right to vote is very sacred.
6 Fair maps are necessary to ensure that every vote
7 counts equally. You as legislators are obligated
8 to ensure fair and equal representation for all
9 people, upholding the 14th Amendment guaranteeing
10 equal protection and complying with the
11 requirements of the Voters Right Act of 1965. I
12 ask that you keep this obligation in mind when
13 creating maps and guarantee that no map will be
14 adopted that fails to protect the voting power of
15 historically disenfranchised communities. I ask
16 the following questions, and I hope sometime we
17 will be able to get an answer. Since the time has
18 not been on our side in terms of receiving Census
19 data and then scheduling these hearings, how much
20 time will be provided for public input between
21 draft and final maps? Why is the House not
22 releasing maps until after it goes back into
23 session December or January? That seems very
24 difficult for people who might be interested in
25 running for an office in 2022, being able to sign

1 in and run. The other question is what are you
2 doing to ensure the communities of interest stay
3 intact? What will you do also to ensure that
4 boundaries are not drawn for the purpose of
5 favoring or even discriminating against any
6 minority group? I also request that more public
7 hearings are set once draft maps have been drawn,
8 because we will need more time to get together as
9 communities to discuss these. As an elected
10 official myself, I pray that your decisions will be
11 just and fair. And I thank you so much for giving
12 me this opportunity so that my voice can be heard.
13 Thank you so much and have a good evening.

14 CHAIRMAN JORDAN:

15 Thank you very much for your testimony. All right,
16 next, Ms. Lynn Teague, South Carolina League of
17 Women Voters.

18 MS. TEAGUE:

19 Yes, indeed. You've seen me before. And I'm going
20 to be brief, because you've heard from our
21 president in a previous hearing about our criteria.
22 And this afternoon we submitted our maps along with
23 a cover letter again explaining how we went about
24 drawing them. We, of course, would be happy to
25 offer any amount of explanation on that. But we

1 share with others' concerns for preserving the
2 influence of minority voices and we especially
3 share the concern for districts that are not
4 intentionally designed to avoid competition. Safe
5 districts do lead to greater polarization. I'll
6 add here that the league has done extensive
7 mathematical analysis of the current districts, and
8 they are not actually artificial partisan
9 gerrymandering. That comes as a shock to many
10 people. But we believe there is both a demographic
11 issue, but also the more controllable one of
12 incumbent protection. Our maps that we submitted
13 are very different from current maps. Certainly
14 the changes in population account for part of that,
15 but the impact of our not protecting incumbents or
16 parties also leads to that. We would say District
17 6, which has been brought up I think by several
18 speakers here coming from very different
19 perspectives. We agree it's not narrowly tailored
20 to achieve Voting Rights Act goals. We believe
21 it's packed and it has an excessive minority
22 population that then dilutes the influence overall
23 of minority voters. So we appreciate you hearing
24 from us. We hope you'll take the input you're
25 getting very seriously, and we are very happy to

1 answer any questions about the submissions that we
2 have sent in. Thank you.

3 CHAIRMAN JORDAN:

4 Thank you so much. I believe we have Mr. Jonathan
5 Kirkwood.

6 MR. KIRKWOOD:

7 Yeah, can you hear me?

8 CHAIRMAN JORDAN:

9 I can hear you. I can't see you, but I can hear
10 you.

11 MR. KIRKWOOD:

12 Okay, great.

13 CHAIRMAN JORDAN:

14 There we go.

15 MR. KIRKWOOD:

16 Can you see me now?

17 CHAIRMAN JORDAN:

18 Now I can see and hear you. So you're recognized.

19 MR. KIRKWOOD:

20 My name is Jonathan Kirkwood and I'm a proud life
21 member with the Columbia branch of the NAACP.
22 Additionally I'm a member of the St. Andrews Dems,
23 which is a neighborhood cluster group within the
24 Richland County Democratic Party. I live in State
25 Senate -- I live in the area that is represented,

1 Senate District 20, by Dick Harpootlian, House
2 District 72 by Seth Rose, who by the way is doing a
3 great job. I want to give him that shout out. And
4 also US Congressional District 6, Jim Clyburn.
5 Thank you for making time to ensure that the public
6 has a chance to be heard within this redistricting
7 process. I'm also a very active member of my
8 community. I'm a school improvement chair at
9 Columbia High School and also on the PTO for St.
10 Andrews Middle School. And within our community,
11 we have a large variety of different races and also
12 a large variety of economic backgrounds. The area
13 ranges from upper -- or from middle class, to
14 working class, to poor, to homeless. So as such, I
15 want to ensure that all members of the community
16 and frankly all South Carolinians are not limited
17 in their political power and also that they are
18 appropriately represented politically. As many
19 have mentioned before, we all know that the right
20 to vote is sacred. And we also know that the
21 legislature has the obligation of ensuring fair and
22 equal representation for all people. So again I
23 ask you to keep this in mind, this obligation in
24 mind when you are creating the maps so that every
25 community will be represented, especially those

1 that have been historically disenfranchised, but
2 frankly that all people are equally represented.
3 Also I ask the following three things from you.
4 One, if at all possible, for responsibility and
5 partisanship in doing or in creating the maps. My
6 personal preference would be to have an independent
7 nonpartisan committee draw the maps, because that
8 would a little bit more help to ensure that public
9 input is taken into consideration, which I'm sure
10 will be done even without it being done
11 independently by a nonpartisan committee. But also
12 to help ensure that the needs and interests are
13 reviewed and not political partisanship for either,
14 for any group, or incumbent bias. Sometimes we
15 like to look at things specifically in regard to
16 the two parties, and we might think that one party
17 is responsible for this or the other party's
18 responsible for that. But when there's more
19 independents, that ensures that neither party, be
20 they incumbents or in the majority, has an upper
21 hand or an advantage. So that would hopefully
22 ensure that the lines are drawn as fairly and as
23 equitably as possible. And I want to go in that
24 second point about fairness. And again that's to
25 ensure that the maps drawn will give a reasonable

1 chance for either a democrat or a republican to
2 win, especially within the congressional districts.
3 And I'll give this example. I've lived in my
4 current house for 23 years. I used to be
5 represented in District 2, which was Joe Wilson's
6 district. I never moved, but now I'm in the
7 District 6 represented by Jim Clyburn. Now I have
8 nothing against Mr. Clyburn. Frankly, I think he
9 does an excellent job. He throws a heck of a fish
10 fry, and he certainly represents South Carolina
11 very well on the local level and on a national
12 level. Having said that, that district has gone
13 from being a slight majority Black to a large
14 majority Black. And because of that, a lot of
15 people -- a lot of Black people have been packed
16 into that district. So what does that do? It
17 increases the likelihood, yes, that he'll win, but
18 also it increases the likelihood that in other
19 districts republicans will win. Currently, as
20 you're aware of the seven congressional districts,
21 six of them are currently held by White republicans
22 and one is led by a Black democrat. And that is
23 inconsistent with both the race and the overall,
24 the way people vote, be they democrat or
25 republican. So drawing the lines in a more fair

1 manner to not give incumbents an advantage and not
2 to pack people of a certain race into a district
3 would help to ensure that there's more competition
4 in the elections. It won't ensure an outcome. It
5 won't ensure that a democrat or a republican will
6 win, but it will certainly give democrats and
7 republicans both the opportunity to win at a
8 congressional district level. And hopefully that
9 will be done as well in the house level, at the
10 house level as well. We can be good democrats and
11 want democrats to win and good republicans. But
12 what I think that would benefit our state as a
13 whole is competitive districts where people know
14 that it's not a right for them to be an elected
15 official, but that they have to actually get out
16 and work, get out and actually get people to vote,
17 and frankly get out and help advocate for the
18 betterment of all of the people in the community.
19 Again all of the people in the community. One
20 thing as I mentioned earlier is I'm very involved
21 in the community. One good thing about the public
22 school system is that you have to educate everybody
23 within your borders. You don't get to pick. You
24 don't get to choose. You educate everybody that
25 comes to your school and everybody within your

1 borders. And the same thing applies for elected
2 officials, or at least should apply. They should
3 be representing everybody within their borders, not
4 just those that are democrats, not just those that
5 are republicans, but everybody in the community for
6 the betterment of the community. One final ask
7 that I have in addition to responsibility and
8 partisanship and fairness is transparency. And
9 ultimately what I mean by that is to -- is when the
10 initial maps are drawn, I would like for the public
11 to be able to look at them, view them, and be able
12 to ask any questions, because some people might
13 have missed part of this whole redistricting
14 process. But if the preliminary maps are drawn,
15 there could be public input sessions where we could
16 take a look at them, agree, disagree, and state
17 why. I think that that would help a lot in regard
18 to transparency, and I think that that would help a
19 lot in regard to the overall public's opinion about
20 the overall process. And then also with that, it
21 would be great for there to be virtual options.
22 Some people might live right close by and be able
23 to testify in person, but other people are greatly
24 benefited by the virtual sessions. So to have
25 those virtual options to be able to review and to

1 give input to those proposed maps would be great as
2 well. Again to all of you, I thank you for your
3 time. I know that your job is not easy, and I know
4 that you hear from a lot of people that have
5 varying interests and varying needs. But I do
6 appreciate the effort that you're putting forward
7 to make these maps as fair and as equitable as
8 possible for all people. Thank you so much for
9 your time. Have a great day.

10 CHAIRMAN JORDAN:

11 Thank you, Mr. Kirkwood. Next up, Elaine Cooper.
12 And then as Ms. Cooper's coming, we're going to go
13 to Mr. Marlin Debramaletta. And I apologize in
14 advance. I know I didn't say that correctly. Ms.
15 Cooper.

16 MS. COOPER:

17 Hello. My name is Elaine Cooper, and I'm a proud
18 member of the Columbia branch NAACP. I'm a
19 resident of South Carolina, in Columbia, and I've
20 lived here a little more than 40 years. I spoke at
21 the Senate Hearing. I have Senate Darrell Jackson.
22 My House representative is Beth Bernstein. I am in
23 CD2, although I live 4.3 miles from the statehouse.
24 Only 4.3 miles from the statehouse, and I'm in
25 congressional district 2 near Forest and Beltline.

1 What's up with that? How election districts are
2 drawn has an impact on every political issue and
3 will determine the allocation of political power in
4 Congress and in our statehouse for the next decade.
5 By the way, South Carolina is the only state in the
6 nation with no laws or constitutional provisions
7 that set redistricting criteria. What's up with
8 that? I'm here today to ask for fair maps at a
9 fair redistricting process, because that process
10 determines how the issues I care about will be
11 dealt with for at least the next ten years. South
12 Carolina has grown in population and grown more
13 diverse in the last ten years driven by growth in
14 multiracial communities. Key figures from a 2020
15 Census Data. Richland County's population grew by
16 8.2 percent between 2010, 2020 driven by growth in
17 multiracial communities. Richland County's current
18 population identifies as 41.59 Hispanic, White;
19 47.2 identify as any part Black. Many areas were
20 undercounted because of issues of doing a Census
21 during a pandemic. I personally have friends who
22 worked on the Census. And I think you're well
23 aware of it. So the population is undercounted.
24 The data is not even accurate for so many people
25 who are not even counted. We need maps where the

1 districts are equal in size and reflect the growing
2 diversity of our state and ensure that voters in
3 South Carolina have as much of a chance to elect
4 candidates for their choice as possible. Past
5 redistricting practices and tactics have resulted
6 in unequal voting power among citizens and the
7 fragmentation of minor groups. Districts need to
8 be redrawn in a way that promotes competition.
9 Gerrymandering or drawing district lines to achieve
10 a certain election outcome is an issue in South
11 Carolina. More than 70 percent of elections in the
12 current districts are decided in primaries, not
13 during general elections. That says something, a
14 whole lot of something. It is time for South
15 Carolina to create an independent commission of
16 dedicated citizens who would withdraw, redraw fair
17 maps that would reflect our diverse population and
18 result in competitive elections benefitting all of
19 us, the entire diverse population that now
20 represents Richland County and other parts of South
21 Carolina. Thanks.

22 CHAIRMAN JORDAN:

23 Thank you, Ms. Cooper. Ladies and gentlemen, that
24 takes us to about 6:00. We've been going for about
25 an hour and a half and we have several more

1 speakers both in person and virtually. So I'm
2 going to call us to ease for about five minutes
3 just to give everybody on the committee a chance to
4 go to the restroom, stretch their legs. But stay
5 close and let's try and get started back in about
6 five minutes.

7 (RECESS)

8 CHAIRMAN JORDAN:

9 Back to order. All right, thank you all for
10 bearing with us for that brief recess. We're going
11 to continue. As I said before we stopped for just
12 a moment, we have a couple more speakers both in
13 person as well as virtual. Next up, Representative
14 Jermaine Johnson. As he makes his way, I'll remind
15 him of the previously mentioned five minutes.
16 Representative Johnson, in your case we're going to
17 make it three. How about that?

18 MR. JOHNSON:

19 All right.

20 CHAIRMAN JORDAN:

21 I'm kidding. I'm kidding. You're recognized,
22 Representative Johnson.

23 MR. JOHNSON:

24 And thank you so much members of the esteemed body
25 here. I do appreciate you all putting this

1 together. Hey to all my friend up there. I
2 appreciate you all. I am actually up here pretty
3 much on behalf of all these rural communities that
4 are here in South Carolina. Now a majority of us
5 up here actually represent rural communities. So I
6 want to make sure and make a note that it's on
7 record that somebody is standing up for these rural
8 communities. We are -- you know they say we're
9 losing population in a lot of these rural
10 communities, but we cannot just let two or three
11 locations of South Carolina dictate everything that
12 goes on in the State of South Carolina. You know
13 my community is very rural. You know the numbers
14 have just come out about my district in lower
15 Richland. And I have to dispute some of those
16 numbers, because I've seen rampant development
17 throughout my district. So, you know, we just need
18 to make sure that we're taking care of our rural
19 communities out here, that somebody's speaking up
20 for our rural communities. We have this time.
21 It's quite possible that we may end up with a
22 county without a resident representative. And we
23 have something like that, I mean, can you imagine
24 what that county is going to feel, how they're
25 going to feel that they have nobody to go to that's

1 in their county that they can actually go talk to
2 and say, hey, listen, we need this here? Or
3 somebody that's, you know, representing that county
4 that's never even been there, to the county. You
5 know we have an opportunity like that right now
6 that may potentially happen, you know. And this is
7 something that we will not be able to fix for the
8 next ten years. All right, so this is something
9 that we definitely have to address. You know, I
10 have to agree with some of the speakers that were
11 up here before when they talked about
12 competitiveness and, you know, just the drawing of
13 the lines. It absolutely makes no sense whatsoever
14 that, you know, we have somebody representing up
15 here that's, you know, down in Charleston or
16 somebody that's in Charleston is representing
17 somebody in Columbia or somebody way down in
18 Edgefield and Aiken and you've got to come down
19 here. This makes no sense. These districts, they
20 have to be drawn fairly and proportionately to what
21 we have in South Carolina. He talked about the
22 fact that he had Representative Clyburn, who was
23 actually representing him. And he talked about
24 being a minority. Well, I'm a minority. You know
25 we have one district of seven, one district out of

1 seven and the one district out of seven right now
2 is getting all the attention. One district out of
3 seven. You know, if we went proportionately and we
4 looked at the numbers, we should at least have two
5 or three, at least. And that's if we draw the
6 lines fairly. If we drew them fairly, we would
7 have two or three. All right, so we have to really
8 look at this here and really include our
9 colleagues. You know, I've been advised myself,
10 said, hey, listen, you need to come out of part of
11 the county that you have because there's red in
12 your county. There's red here. There's red there.
13 I've told them no, I don't want to do that. You
14 know, I encourage purple lines. I encourage purple
15 districts. I encourage that, because what that's
16 going to do for me is it's going to have me to go
17 out and actually work to get to know my
18 constituents, actually come to some common ground.
19 Meet in the middle, come to some common agreement,
20 because that's what we talk about what we like to
21 do. Right? We talk about reaching across the
22 aisle and working across the aisle, and working
23 with each other to have a collective, you know,
24 united front here in this state. But yet we have
25 -- we actually are drawing our lines based on BVAP.

1 Now you should know that that is wrong right there.
2 And the fact that you all know exactly what I'm
3 talking about when I say BVAP is a shame in itself,
4 because we are looking at our lines to pack people
5 based in these areas because, you know, that's too
6 many Black people there, that's too many White
7 people there. Or we have to, you know, draw a line
8 based on this. That is how we get these districts
9 the way that we're getting them today. We have got
10 to look at the new processes behind all of this.
11 Again I encourage purple districts. I encourage,
12 you know, competition. I want competition. I want
13 competition. Don't -- you know, let's not look at
14 something where we have somebody who's representing
15 a district for, you know, 30 years and he never had
16 any real competition, nobody signed up to go
17 against him to say, hey, well, you know, there's no
18 reason for me to run because this person --
19 everybody in this district is like this. We don't
20 have any type of competition here in South
21 Carolina, none whatsoever. All these things are
22 being decided right in the primary with people who
23 are like bobble heads. They all agree with each
24 other. All of them agree with each other, just
25 nodding up and down, yeah, I agree with you too. I

1 agree with you, too. I agree with you, too.
2 There's no type of discourse that's going on,
3 because in these districts they're all agreeing
4 with each other. So we end up with individuals who
5 are representing districts that all think alike,
6 that look alike, that act alike. It's time out for
7 that stuff. We've got to come to a point now where
8 we're actually creating real respectable type of
9 disagreements to where we can come to a common
10 agreement. We can come to this common agenda, and
11 we can actually work together. I might not like
12 this. You don't like this. But, here, let me give
13 up some, you give up some, and we come up with
14 something we can both live with. Right now we
15 don't have anything like that. So I am encouraging
16 all of my friends up here at the front that, you
17 know, we get together and we work this thing out,
18 you know, that we really be friends. And let's
19 work together like I know we can, like we do every
20 single day up here. So reps, thank you all so
21 much. I appreciate you all. And I'll see you all
22 soon.

23 CHAIRMAN JORDAN:

24 Thank you Representative Johnson. Always good to
25 see you. All right, transitioning back to virtual,

1 I believe we have Mr. Marlin -- and forgive me,
2 sir, but I'm going to -- Debramaletta?

3 MR. DEBRAMALETTA:

4 Debramaletta, yes.

5 CHAIRMAN JORDAN:

6 You are recognized. Thank you, sir.

7 MR. DEBRAMALETTA:

8 I thank you. Greetings chairs, congressmen, and
9 members of the House of Representatives. My name
10 is Marlin J. Debrameletta. And I'm a volunteer
11 with the ACLU of South Carolina, South Carolina
12 NAACP, and South Carolina Democratic Party Black
13 Caucus. I live in State Senate District 08 and
14 State House District 24 in Greenville County, South
15 Carolina. I thank you and greatly appreciate the
16 House Redistricting Committee members taking time
17 to ensure that the public has a chance to be heard
18 in the redistricting process. I am active member
19 of my community. I am also an African American
20 male with opportunities to experience earned
21 freedoms and privilege in society with skills and
22 trade and blue collar labor that translated to
23 white collar opportunities, and hard worth ethic, a
24 college education from the University of South
25 Carolina, dedication, diligence, and continued

1 mental and physical training. As such, I am
2 honored for an opportunity to be a positive citizen
3 for good in the world and the community as a
4 citizen of the United States and the State of South
5 Carolina. I want to ensure that members of my
6 community and all South Carolinians are not limited
7 in their political power. It's a fundamental civil
8 right as a human being and person that the opinions
9 and issues are able to be brought to leaders'
10 attentions, discussed, and if necessary resolved in
11 a democratic format. We are a nation and state
12 full of people whose strength lies in the people.
13 The war for civil rights has been a long one. The
14 battle of the rights to vote when fairly recognized
15 as a citizen has won several times and we must
16 maintain the latest victory of the Voting Rights
17 Act of 1965. The right to vote is sacred. It was
18 won on a bloody Sunday by the late great Senator
19 John Lewis in his fight for civil rights and must
20 be honored, cherished, and respected. A small
21 fraction of us (inaudible) lost in 2013, and it
22 appears have the strength and numbers in key swing
23 states provided a 2020 democratic victory against
24 tyranny from the direction of a majority vote of
25 our elected leaders by all citizens and not the

1 select few. It's time once again that the power of
2 voting be maintained and restored. Fair maps are
3 necessary to change that every vote counts equally.
4 The South Carolina State Legislature has an
5 obligation to ensure fair and equal representation
6 for all people upholding the 14th Amendment's
7 guarantee of equal protection and complying with
8 the requirements of the Voting Rights Act of 1965.
9 I ask that you keep this obligation in mind with
10 creating maps and guarantee that no map will be
11 adopted that fails to protect the voting power at
12 the historically disenfranchised community. I
13 understand you may not be able to answer my
14 questions tonight, but I ask that you or the
15 committee staff provide answers to the following
16 questions in the near future on your redistricting
17 website. Why is the House not releasing maps until
18 after it gets back in session December or January?
19 Won't that leave virtually no time to determine
20 whether the maps are fair and constitutional in
21 time for candidates to sign up to run? As citizens
22 of this great state, we must have transparency in
23 the political process. This is a civil right that
24 we all should have to review as (inaudible)
25 concerns prior to final approval. Clear

1 communication between our elected political leaders
2 and the citizens of the state is crucial to resolve
3 and address ongoing issues. And, question number
4 2, the many question that others have also
5 presented this evening. What steps are you taking
6 to prevent minority vote (inaudible) and assure the
7 communities of color have an equal opportunity to
8 elect candidates of their choice? Minority is
9 based upon a percentage of elected (inaudible).
10 The collective collaboration of the minority make
11 up the majority of people and (inaudible) reaps
12 benefits and can strengthen a nation. Thanks so
13 much for your support, patience, understanding. I
14 have also submitted my written testimony as well.
15 Have a great evening and thanks again everyone.
16 And thanks to all the previous speakers as well.

17 CHAIRMAN JORDAN:

18 Thank you, sir. Next up, Edie Roe -- I know it
19 starts with a W. I can't be critical if you saw my
20 penmanship.

21 MS. WILLARD:

22 You should see my husband's. I didn't think I'd be
23 here quite so fast. My name is Edie Roe Willard.
24 Can you all hear me all right? Thank you. I am
25 the executive committee man of the Richland County

1 Republican Party, formerly the Chairman of the
2 Richland County Republican Party, and formerly the
3 First Vice Chair of the State Republican Party, if
4 we're giving our credentials here. First of all, I
5 would like to thank you all for having these public
6 hearings and for having them all around the state
7 at times that are convenient for the average voter.
8 I think it probably -- this has been the most
9 accessible redistricting hearings probably ever
10 before, especially due to the internet. Thank you
11 for making this available to all the voting public
12 through the internet whether in their home, on
13 their phone, or through the library where we have
14 computers. We as voters have a responsibility to
15 seek out this information. I remember from my
16 civics class in junior high school learning about
17 redistricting, probably in fifth or sixth grade.
18 And it was just a regular old public high school.
19 We learned about it then. We learned about the
20 importance of it. So I thank you for making this
21 available. And also, like I said, we have a
22 responsibility to interact with you all, and I
23 thank everyone here for doing so. For those who
24 are not here, it could be because they're just not
25 paying attention. You know, let's face it. You

1 all do not have an advertising budget. You do the
2 best you can to get the word out there, and
3 therefore it is also our responsibility to seek out
4 this information. I also want to thank your staff.
5 They have -- and please forward that to them for
6 me, for us, because they have an incredibly
7 difficult job. When you think of drawing the lines
8 for -- what is it? A hundred and -- I'm going to
9 get this wrong -- 19 districts in the House?
10 Twenty four, and 46 in the Senate. Well, you all
11 don't do the Senate. But, and of course, the
12 congressional districts. They're counting
13 neighborhoods. They are making that count house by
14 house, voter by -- maybe not voter. But it is
15 extremely different. Most -- and so, please, thank
16 them for us, for doing that very difficult job.
17 Imagine if they had open doors and they had like a
18 surgery room, glass, you know, a whole audience of
19 people staring down on them watching them draw
20 lines and making comments about it. So this is not
21 -- people need to realize this process is not
22 behind closed doors. You all have made it as
23 accessible than it has been as ever before.
24 Forgive me. I'm a little nervous. And I think we
25 need to realize that this is a process that does

1 have rules. It always has had rules. And South
2 Carolina, in fact, has been under those rules. It
3 was not up until 2010 our maps had to be approved
4 by the Department of Justice. Frankly, I think all
5 of the state should have to have that approval, but
6 the South Carolina House of Representatives had the
7 approval both of democrat and republican
8 administrations every ten years. So there is
9 oversight. People need to remember that. Through
10 this process, and I've listened to several of the
11 hearings both in the Senate and the House, I've
12 heard three issues. One that this should be done
13 by an independent commission, that it's too
14 political. Two, that there are strange shapes
15 districts or gerrymandering; and, three, packing.
16 Let's remember when you come to independent
17 commissions, there is no such thing. This is a
18 political process. And even folks who would be
19 appointed to an independent commission would,
20 whether they knew it or not, have a political bend,
21 because they were appointed by political people.
22 However, it's only y'all as elected representatives
23 that are accountable to the voters. And
24 independent commission would never be accountable.
25 In fact, they would not be accountable to y'all, to

1 the people who appointed them, if they were in
2 charge of that commission. So remember elected
3 officials are accountable every two years, and
4 that's why it's a political process. There are
5 several rules and boundaries that y'all have to go
6 by, and therefore I think an independent commission
7 is unrealistic. We are -- we've kind of become a
8 knee-jerk nation. In other words we hear a sound
9 bite and like, yeah, that sounds good, without
10 looking deeper through the facts. And I think that
11 again people can complain about gerrymandering.
12 You know one of the issues that you all have to go
13 by -- I'll hurry -- are natural boundaries.
14 Rivers, streams, roads, of course neighborhoods,
15 none of those are usually drawn in perfect circles
16 or straight lines rarely. So I think strange
17 shapes is a nonissue. When you talk about packing,
18 there are two schools of thought. And let's --
19 forgive me for giving a little bit of a history
20 lesson. But prior to -- you know, South Carolina
21 is comprised of about 27 to 30 percent Black
22 Americans. Up until 1989 -- it wasn't until 1990,
23 I want to say, that -- let's say it's been since
24 1992 through 2010 that the Black Caucus has become
25 representative of South Carolina's population. I

1 want to say there were 21 members of the Black
2 Caucus prior to 1989. Today that Black Caucus is
3 representative, the general assembly -- Black
4 Caucus is representative of our state. That was
5 done under republication leadership. Let's
6 remember prior to 1990 there had not been a Black
7 congressman since 1887, who was republican by the
8 way. And it's only been through republican drawn
9 map that an African American was able to be elected
10 to our state. And I think that's something that
11 needs to be remembered. We do represent -- we have
12 been more attentive to our overall population in
13 South Carolina than in the past 144 years. I thank
14 you for your time, and I hope have not been too
15 direct in my comments. Thank you for everything
16 you do. I know that it's not an easy job.

17 CHAIRMAN JORDAN:

18 Thank you for your testimony. All right, next up I
19 believe we have Ms. Ruth Baronda virtually.

20 FEMALE SPEAKER:

21 And if you could just unmute. I think you did it a
22 second ago, and then it muted back. There you go.

23 MS. BARONDA:

24 Okay.

25 FEMALE SPEAKER:

1 It keeps muting you back. There you go.

2 MS. BARONDA:

3 Okay. Can you hear me now?

4 CHAIRMAN JORDAN:

5 We can.

6 MS. BARONDA:

7 Wonderful. I am Ruth Baronda and I live in McBee,
8 South Carolina. I attended the last meeting at the
9 Florence County Center. There was very few people.
10 And I couldn't make it to Columbia today. So I'm
11 here to speak up again for the farmers. I am a
12 member of the South Carolina Agritourism. And I
13 share with you the Farmers Book and welcome
14 everybody to come visit the farms for the farm
15 experience. And I'm also a member of the
16 (inaudible) Heirs Property as a Woodlands Community
17 Advocate. And I especially was an ambassador to
18 the Census for the 2020 Census that was taken. As
19 a retired math teacher, I realize how important
20 numbers are. And as we speak about the map today
21 and the statistics and the data being used, it was
22 sorry to say that South Carolina did not
23 participate in the Census. As I spoke to the
24 County District meetings and the City District
25 meetings, I was out on the streets with the food

1 banks and also with the different organizations
2 such as the NAACP and the Democratic Women to get
3 out the Census. To be counted you had three
4 choices; by phone, by computer, or in person. And
5 as I spoke out at the last meeting, that as a
6 farmer myself, as a tree farmer growing Loblolly
7 pine trees on 38 acres in McBee, which is a
8 combination of 30 acres in Darlington and eight
9 acres in Chesterfield Counties, farmers do vote and
10 we're outside the city limits. So we are voting
11 mostly in the district, in the county meetings. We
12 are concerned about who is representing us. So as
13 you draw the mathematical lines based on the data
14 where there's a straight line, a curved line, we
15 understand the importance of being represented.
16 There are some apps available, computer apps. And
17 as I looked at them and saw what their thoughts of
18 redistricting outside your committee, the DRA 2020,
19 Daves Redistricting Act, was very interesting in
20 looking at it. So for anybody that hasn't looked
21 at it, easy to find on the Google. So it
22 represented -- drew up some maps for most
23 proportional, it considered most competitive.
24 There's a map for best minority representation,
25 most compact, and least splitting. So just looking

1 at a computer model, that was something that might
2 surprise you that that exists. But we can't wait
3 till 2030. Every ten years this is supposed to
4 happen, but in ten years where will we be? How old
5 will you be? As a retired math teacher and I asked
6 children, which I was teaching mostly seniors
7 probability statistics, where are you going to live
8 within the next ten years? What kind of job are
9 you expected to be doing? How are you going to
10 contribute back to your heirs, to your family to
11 make this a better state? I've been here only 11
12 years and moved here from Washington DC even though
13 I was born in Memphis, Tennessee and raised in
14 Philadelphia. It's very important that we get this
15 right. We cannot wait ten years. The population
16 has changed, and we did not lose any seats
17 according to the Census, but we didn't gain any
18 either. As a P.O. Box address, because farmers
19 aren't waiting at the end of their acreage to
20 receive their mail -- we have P.O. Boxes. And the
21 P.O. Box did not the Census put in it, and we were
22 waiting for somebody to come to our doors. They
23 did in 2010. Nobody showed up because it was cut
24 in the Census takers. But we were able to get a
25 number and do it by phone, do it by computer, even

1 though no one in person. So I today would like to
2 say congratulations to the farmers, because no food
3 will come, exist, if there's no farms. And
4 forestry, and I'm a part of as a tree farmer, is a
5 22 billion dollar addition to the South Carolina
6 economy. So whether we're farming by trees or by
7 crop or by animals, we vote and we would like to
8 have representation at all times. So I thank you
9 for this meeting and myself to participate
10 virtually. And I do hope that we get it right this
11 time, because we can't wait till 2030. Thank you.

12 CHAIRMAN JORDAN:

13 Thank you, Ms. Baronda. And I believe you will get
14 to be our last virtual speaker. We have one more
15 speaker in person, Ms. Brenda Murphy.

16 MS. MURPHY:

17 Good evening, Mr. Chair.

18 CHAIRMAN JORDAN:

19 Good evening.

20 MS. MURPHY:

21 I would like to thank you and the committee for
22 allowing me the opportunity to come before you this
23 afternoon and speak to you. As the president of
24 the South Carolina State Conference of the NAACP,
25 we have taken -- actually taken a major, major step

1 in trying to educate individuals throughout the
2 state of the need to be involved in this process.
3 I do hope -- I wish that you had more virtual
4 sessions. There were only two. There were many
5 more individuals that could have been involved in
6 this process. We are drawing maps. We will be
7 submitting maps. We want everyone to know it's
8 important for you to participate in this process.
9 Because as many people have said, and I'm not going
10 to repeat what they have said because I agree with
11 99 percent of it -- 99 percent of it. But we are
12 at this time dependent on you in terms of drawing
13 maps that are competitive, maps that looks at --
14 ensures communities of interests, not packing, not
15 cracking. We hope that you won't do that. And we
16 look to see hopefully more of us sitting in these
17 seats the next time we come around. So again thank
18 you. As I said, I'm not going to repeat what has
19 been said, but we're watching. We are engaged, and
20 we will be participating in the process. So I hope
21 that you will let us know very soon when that date
22 is, the magic date that those maps need to be
23 submitted. Thank you very much.

24 CHAIRMAN JORDAN:

25 Thank you, Ms. Murphy. Well, ladies and gentlemen,

1 I believe that concludes the public input period
2 and opportunity. Just a little bit of background
3 about how we got to here today. We started, all of
4 you surely remember, I believe it was back on
5 August the 3rd for our very first meeting. That
6 was the first time this ad hoc committee gathered
7 right here in Columbia. At that time we were able
8 to establish the criteria or guideposts that I've
9 been referencing across the state for the
10 redistricting process. Since then we've gone on to
11 have, I believe, 11 -- tonight was the 11th public
12 input opportunity. I know we started in Myrtle
13 Beach and went to literally all across the state
14 from the Upstate to down in Bluffton, Aiken,
15 Greenwood, literally crisscrossing the State of
16 South Carolina and having the opportunity to hear
17 from South Carolinians from all over the state. Of
18 course we met last week and established the map
19 room procedures that I believe were put to use this
20 morning, at least the start of. And that process
21 will go on for the next at least 30 days or so. I
22 would envision that this committee would meet again
23 sometime probably next month once that map room
24 process has had a chance to fully take place, that
25 the members of the House now have the opportunity

1 to do what we talked about a little bit last week
2 to represent their constituents that they've been
3 sent here to do and engage in the drawing of the
4 proposed districts. Now having said all that, and
5 as I said a second ago we've heard from many, many
6 South Carolinians who have raised many important
7 issues throughout this process. I think it's
8 incumbent upon this committee at this juncture, an
9 effort to be completely transparent, that we open
10 the table at this point for any issues that any
11 committee member feels like we need to further
12 discuss and deal with before the map room process
13 is fully engaged and completed in.

14 MS. BERNSTEIN:

15 Mr. Chairman.

16 CHAIRMAN JORDAN:

17 Representative Bernstein.

18 MS. BERNSTEIN:

19 Thank you. And I may -- I think some other folks
20 on the committee may have some input, too. But,
21 you know, like you've stated, we've gone -- this is
22 our, I think, 10th or 11th public hearing. And I
23 appreciate everybody who's come out in person or
24 virtually, because I do think it's important that
25 we have public input. And so based on the public

1 input, and I think based on some additional
2 research that I've done, and looking at the
3 guidelines we have -- and I think it has been
4 highlighted that we are the only state in the
5 nation that does not have statutory guidelines.
6 But the guidelines that we have and the criteria
7 that we have been using to draw our districts are
8 what was used in 2010. But based upon some of the
9 testimony that we've heard and the US Supreme Court
10 case law, I think a deviation that we have in our
11 guidelines which is in Section 4, subsection 4C,
12 the legislative district shall have substantial
13 equality of population. The ideal population shall
14 be -- and I won't read the whole thing, but shall
15 be 41,278. And in every case, effort should be
16 made to limit the overall range of deviation from
17 the ideal population to less than five percent or a
18 relative deviation in excess of plus or minus 2 and
19 a half percent for each South Carolina House
20 District. Well, as I stated, you know, equal
21 protection clause requires substantial equality.
22 Minor deviations are okay. And I think it's
23 generally accepted that a deviation, a 10 percent
24 standard deviation for population is presumptively
25 constitutional. And we've heard testimony that

1 some of the -- and it's anecdotal, admittedly. But
2 the Census count is under reported for minority
3 groups, and I think there are extenuating
4 circumstances because of the Census count because
5 of COVID, a pandemic that we haven't ever
6 experienced obviously in our lifetime. It's
7 similar to the -- I guess the Spanish Flu back in
8 1918. But those circumstances, because of the
9 difficulty of broadband in this state and for the
10 rural communities not being able to participate in
11 the Census and because of COVID, because of the in-
12 person limitations that people have due to COVID
13 and so forth. I think it is indicative that some
14 of the Census counts for the minority groups may be
15 under reported. So as everyone on this committee
16 is committed to doing, and I want the public to
17 know that -- that we are committed to making fair
18 and reasonable maps. And in an effort to avoid any
19 kind of litigation and also so we don't threaten
20 the minority majority districts, I think we need to
21 be flexible. And I think we need to look at
22 deviating from the 5 percent and really going up to
23 10 percent, which is generally accepted as a
24 standard deviation. I should also point out that
25 the Senate rules use a 10 percent deviation, 5 up

1 or 5 down. And I think in being consistent with
2 the Senate rules and to be flexible, and based upon
3 the pandemic and other factors that I've mentioned,
4 that this committee should consider changing the
5 deviation from 5 percent to 10 percent. I think it
6 would prevent future litigation which, in effect,
7 any kind of litigation would be a lot of time and
8 money that would be wasted for any kind of
9 litigation that we could head off now. This is the
10 first day that the map room is open. I think we
11 need to be clear on what the deviations are. So I
12 think if we are going to amend these guidelines, we
13 need to go ahead and do it now as opposed to later
14 in the process when we get to the floor. Because I
15 think that would be unfair, and I think that we
16 really need to show some flexibility and
17 consistency with the Senate rules. And 10 percent
18 standard deviation is -- a 10 percent deviation is
19 presumptively constitutional, would be considered
20 standard. So I don't know if we want more
21 discussion on this, but at the appropriate time I
22 would like to make a motion to amend the
23 guidelines, the redistricting ad hoc committee 2021
24 guidelines and criteria for congressional and
25 legislative redistricting to reflect a 10 percent

1 deviation rather than the 5.

2 CHAIRMAN JORDAN:

3 Do you mind holding that motion --

4 MS. BERNSTEIN:

5 No, I do not mind.

6 CHAIRMAN JORDAN:

7 -- until we can make sure?

8 MS. BERNSTEIN:

9 Yes.

10 CHAIRMAN JORDAN:

11 Because it is such an important subject matter --

12 MS. BERNSTEIN:

13 Yeah, I appreciate it. Thank you.

14 CHAIRMAN JORDAN:

15 -- that we give everyone the opportunity to be
16 heard on the issue.

17 MS. BERNSTEIN:

18 Thank you, Mr. Chairman.

19 CHAIRMAN JORDAN:

20 Thank you Representative Bernstein.

21 MS. HENNIGAN:

22 Mr. Chairman.

23 CHAIRMAN JORDAN:

24 Representative Hennigan. I see Mr. Bamberg is
25 going to be a gentleman and yield.

1 MS. HENNIGAN:

2 Why, thank you. I just want to say I totally agree
3 with Representative Bernstein. I just looked at my
4 community itself and realized how many people were
5 suffering at that time with COVID, how many people
6 were in the hospital at that time. And the major
7 problem that we have in our community is broadband.
8 In certain areas we have absolutely no broadband at
9 this time. Like in the Wallace area, out near the
10 Brownville area, that is a major problem with
11 broadband. Many of the people were not even aware
12 that the Census was even there, that they could get
13 them filled out. And many people have the post
14 office boxes, which they absolutely had no other
15 means of being able to get their mail. That is a
16 major problem for any of them. And I think this --
17 if we don't do a deviation, it's going to be
18 detrimental to our rural communities. Especially
19 looking at some of them like Bamberg and many of
20 the other. I think last week we found out there
21 were like five of them, if I'm correct, that had
22 less than 20,000, about 20,000 people in those
23 areas, which really -- if you're 20,000, you really
24 would not have a person in our district that
25 actually represents you, and that is so important

1 to us to have someone right there in the community
2 that you can go to. I'll never forget that some
3 years ago -- I'll never forget we had someone from
4 Horry County representing us. We had someone from
5 Dillon. And we had a person who was in from
6 Marlboro County. And that was really hard to even
7 realize that you had someone from Horry County that
8 was really representing you because, number one,
9 you don't see them, because their interest is going
10 to be where they live. So that's why I am 100
11 percent in agreement with her. Thank you sir, for
12 allowing me to say it.

13 CHAIRMAN JORDAN:

14 Certainly. Thank you, Representative Hennigan.
15 Representative Bamberg.

16 REPRESENTATIVE BAMBERG:

17 Thank you, Mr. Chair. I would just echo those
18 sentiments. A couple of things just for the
19 committees stewing here. The whole point of the
20 deviation aspect is aimed at addressing the one
21 person/one vote rule. And I think it's important
22 when looking at our deviation number, what is the
23 premise of the one person/one vote principle. And
24 that basically is aimed at this. Redistricting
25 schemes that weaken the voting power in

1 representation of residents of one area of a state
2 as compared to others elsewhere in the same state
3 cannot withhold constitutional scrutiny. I think
4 it's fair to say, and I know the committee members
5 understand, that the premise of the one person/one
6 vote rule is aimed at inappropriate uses of
7 population deviation to effectively attack citizens
8 and minimize their voice. That is not what is
9 being proposed here by looking at a deviation
10 increase to 10 percent. I would also note that
11 increasing a deviation percentage to 10 does not
12 mean that it absolutely has to happen during the
13 process. What this committee would be doing is
14 affording everyone the opportunity to utilize those
15 deviations should they be necessary upon looking at
16 district lines and things like that. You know
17 South Carolina is over 32,000 square miles, most of
18 which is rural. It's not packed into these cities
19 like Columbia or packed into the big cities like
20 Charleston. We heard testimony in Florence as well
21 as here today from Ms. Baronda who spoke on behalf
22 of the farmers in this state. Agriculture is South
23 Carolina's number one industry. And we have heard
24 through this process problems that some farmers
25 have faced with regards to being counted in the

1 Census. P. O. Box are not used. Some folks may
2 not have ever been to a farm, but I live in a rural
3 area and I can guarantee you that in my time in the
4 House unless you're very close with them, you don't
5 walk down the mile long road and go knock on
6 somebody's door in the middle of the country. And
7 I think that's one reason why Census workers may
8 not have been going to see them in person. But
9 that's just one example. I would note for the
10 committee *Brown versus Thomas*, case cites 462 US
11 835, specifically page 842, as a 1983 US Supreme
12 Court case. And that case held that apportionment
13 and plans with the maximum population deviation
14 among districts of less than 10 percent are
15 generally permissible. I do acknowledge that 5
16 percent is -- technically, I guess, we'd call it
17 the safe harbor, i.e. there is this basic
18 presumption that everything's on the up and up.
19 But we do have United States Supreme Court
20 precedent establishing that 10 percent is generally
21 permissible. And as I understand the basis for the
22 discussions about increasing to the 10 percent,
23 they all appear valid. I would also point out
24 *Evenwel versus Abbott*, case cite is 136 Supreme
25 Court 1120. It's a 2016 case. It talks about the

1 appropriate metric for assessing population
2 equality across districts as total population,
3 counting all residents. We have heard testimony as
4 we have traveled across this state from
5 individuals. You know obviously testimony is
6 important. Otherwise we wouldn't do it. But it's
7 not case law and things like that. We heard
8 testimony from individuals who specifically worked
9 as Census counters and spoke about the problems
10 that were had during the pandemic in terms of
11 making sure that people were counted. We've heard
12 testimony from individuals who never received a
13 follow-up call. In fact, I believe we were in York
14 County, Representative John King pointed this out,
15 that 36 percent of non-responding Hispanic
16 households did not receive Census follow up.
17 Thirty-six percent of non-responding Hispanic
18 households did not receive a Census follow up.
19 That means a call, a visit, et cetera. So when we
20 look at the 10 percent deviation, that is something
21 that could be accounted for and that the deviation
22 could address. And lastly I would just point to
23 Reynolds v. Sims. That's 377 US 533. That's a
24 1964 case, and that was the case cite for the one
25 person/one vote principle. Lastly, and I

1 appreciate everyone's time here, when we look at
2 Census population there are areas of the state that
3 on paper have population increases that have grown
4 astronomically. I believe there's at least one
5 member who, per the Census data, represents on
6 paper enough people to effectively account for two
7 or two and a half House districts compared to some
8 of those, including myself, for example,
9 Representative Lonnie Hosey, the individuals in
10 Orangeburg who in accordance with the Census are
11 tracking on paper very, very large population
12 declines. And as an individual who lives in a
13 rural part of the state, looks like there's more
14 traffic on the road than ever before. Now
15 obviously we do face certain struggles, but I
16 believe Orangeburg has seen a population decrease,
17 approximately 9 percent give or take. These are
18 approximate numbers. Barnwell County approximately
19 eight percent. Bamberg County approximately 17
20 percent. Clarendon County approximately 11
21 percent. Allendale County approximately 22
22 percent. Hampton County approximately 12 percent.
23 Williamsburg County approximately 10 percent. Lee
24 County approximately 14 percent. Dillon County
25 approximately 12 percent. Calhoun County

1 approximately 6 percent. I find it very hard to
2 believe, and I know we need factual data when we
3 look at doing this. But I find it very hard to
4 believe that we can have counties that have
5 population decreases in real life of 22 percent
6 while at the same time, for example, York County on
7 paper appears to have grown 25 percent or so.
8 Living in rural areas it's been noted the broadband
9 issues. We've seen that during the pandemic. One
10 of the options for completing the Census was on the
11 computer. That's not an option for many people in
12 Bamberg County or in Allendale County. AT&T
13 doesn't even work out there, neither does T-Mobile,
14 neither does Sprint, neither does Cricket wireless.
15 So we're talking about areas that are completely
16 underserved in terms of broadband and internet
17 connectivity and what impact that has. Even on a
18 county like Richland, we've heard from
19 Representative Wendy Brawley, I believe at the last
20 meeting, who pointed out that even in parts of
21 rural Richland County they struggle with internet
22 connectivity. And that's just one issue. You also
23 have, you know, the real life impacts of COVID-19
24 in terms of what people -- because unfortunately in
25 the rural counties that I'm talking about, they're

1 also some of the lowest economically earning areas
2 in the state. People had other things to worry
3 about than filling out Census paperwork, and I
4 understand that because I personally fielded
5 countless calls from individuals who were worried
6 about their rent or their mortgage, or their
7 utility bill, and whether or not the local water
8 provider was going to cut their water off and
9 things like that. So I do think that the 10
10 percent is a good idea. I think we have United
11 States Supreme Court precedent that supports the
12 legitimacy of moving to 10 percent. And again I
13 would just recommend to the committee that the 10
14 percent does not have to be used. Us changing the
15 rules would allow for a 10 percent deviation, and
16 that's up or down. And we could, in fact, do 9
17 percent. We could do 8 percent. We could do 7
18 percent depending on what is found during the
19 process. This is about giving the committee
20 options, and these options are geared towards
21 fairness which is something that has been requested
22 by almost every single member of the public who has
23 participated in this process and testified to us.
24 So, Mr. Chair and Committee Members, thank you so
25 very much for your time.

1 FEMALE SPEAKER:

2 Mr. Chairman, may I? I don't know if anyone has
3 the answer to this. Maybe Representative Newton
4 does, because of his previous work with
5 redistricting. But Section 5 of the Voting Rights
6 Act, Supreme Court has overruled that fact that in
7 2010 you couldn't reduce the majority, minority
8 districts from what they were in 2010. Am I
9 stating this right? I'm just trying to figure out
10 what they were in 2010, if we know. Even though
11 now --

12 MALE SPEAKER:

13 (Inaudible) regardless of the Voting Rights Act and
14 what's been -- regardless of the Voting Rights Act
15 that intentional retrogression is still against the
16 law. You cannot intentionally dilute a minority
17 group's ability to elect a candidate of their
18 choosing and their peers on the basis of race,
19 period, regardless of Section -- I think that
20 answers your question. I was going -- an
21 appropriate time.

22 FEMALE SPEAKER:

23 (Inaudible.)

24 MALE SPEAKER:

25 Jay, I've got some comments at the appropriate

1 time.

2 CHAIRMAN:

3 All right, I've got Representative -- all right,
4 then you are continued to be recognized.

5 MALE SPEAKER:

6 Well, just a couple of things that I want to point
7 out that may be appropriate. You know, I'm about
8 as concerned as anybody else about rural South
9 Carolina, but I'm also not unmindful of the fact
10 that the equal protection clause of the 14th
11 Amendment is what drives this notion of one
12 person/one vote. And every time we say that it's
13 okay to have a deviation, we effectively are
14 depriving those folks who got to have more people
15 to elect somebody than others. And that's when we
16 look to the congressional deviation, it's virtually
17 nothing. And it's supposed to be strict equality,
18 and legislative districts are supposed to -- you
19 know, the Courts have said, as I understand it,
20 substantial equality of population and there's a 5
21 percent safe harbor. What I'm curious about is,
22 you know, and what we passed as criteria where we
23 set 5 percent, which we know is a safe harbor.
24 And, Beth, I appreciate your comments that it might
25 save litigation. You know, I have the other

1 concern that as a safe harbor, we're probably safer
2 from litigation than going out to something that is
3 a rebuttable presumption that we may now have to
4 find ourselves defending more as to why we went to
5 the 10 percent. You know, our criteria already
6 allowed us to do that, if we need to. I mean
7 rather than setting across the board deviation and
8 say 10 percent's okay, our criteria already says
9 we're going to set essentially a standard criteria
10 of 5 percent. But then it goes on to say
11 nevertheless, any overall deviation greater than 5
12 from a quality of population among South Carolina
13 districts shall be justified when it is a result of
14 geographic limitations, the promotion of a
15 constitutionally permissible state policy or
16 otherwise to comply with the criteria identified in
17 these guidelines, which are essentially all the
18 tenets that have come out of case law and federal
19 requirements that we have to do anyway. So, I
20 mean, I guess it just strikes me that if there is a
21 need and a justifiable basis to go beyond five
22 percent, there it is. We've already established
23 that rather than start from go saying we're going
24 to start a deviation of 10 percent, which is
25 outside the parameters of a safe harbor and get

1 further away from the equal protection clause of
2 the 14th Amendment. That's just my thoughts. We
3 can do it as needed already, I think. Thank you,
4 Mr. Chairman.

5 CHAIRMAN JORDAN:

6 All right, Representative Elliott.

7 REPRESENTATIVE ELLIOTT:

8 Briefly, Mr. Chairman, thank you. And I appreciate
9 my colleagues' comments and the motion that will be
10 forthcoming. I agree with Representative Newton
11 and he summed up what I would have stated. It
12 strikes me that if the one person/one vote, what
13 we're going under the equal protection clause as it
14 applies to congressional reapportionment and
15 redistricting here in this case. And I understand
16 the rules are somewhat different than case law in
17 that. But it seems to me going from the 5 percent
18 which we know is a safe harbor, which we're on
19 solid ground there to go to the 10 percent seems to
20 me that would have the opposite impact of what
21 Representative Bernstein was stating and could and
22 would invite litigation and we would be in
23 unchartered territory and delaying this process.
24 So, therefore, I'm going to vote no on the motion
25 and to stick to what we have under our criteria.

1 CHAIRMAN JORDAN:

2 Thank you, Representative Elliott. I can't read
3 the expression behind the mask. Representative
4 Collins, you're recognized.

5 REPRESENTATIVE COLLINS:

6 Thank you, Chairman. And I felt Representative
7 Bernstein, Hennigan, and Bamberg -- even though
8 Bamberg was a little long -- did a decent job in
9 saying their viewpoints. And I've been on the
10 fence with this. The big thing is more practical.
11 Every 5 percent we're talking about only 1,000
12 difference both up and down. So in practical
13 standpoint, we're talking about changing from 40 to
14 42 as a range to 39 to 43,000 in our range, which
15 in the areas that my desk mate mentioned won't
16 help. Brandon Newton, for example, if we give an
17 extra 2,000 range there, won't help in his
18 district. In the Orangeburg areas, Representative
19 Bamberg mentioned it won't help in that area as
20 well. So for me it's a practical kind of aspect to
21 it, and I agree with Representative Newton's
22 understanding or reading of our current policy that
23 we can go outside of this already. So I would
24 support our 5 percent.

25 CHAIRMAN JORDAN:

1 And I too will use this as an opportunity to weigh
2 in and certainly I am cognizant of the testimony
3 we've heard as to the Census. On the other hand, I
4 don't know if there is such a mechanism. I'm not
5 aware of it. And what I mean by that is what
6 mechanism gives us the ability to critique and dive
7 into the successes or the failures of the Census.
8 We're in a position as a committee. We have to
9 evaluate the information, the numbers that are
10 before us. And I don't think there's anything that
11 gives us an investigative ability to establish
12 again the successes or the struggles of the Census.
13 And I come back to what has been said from a few
14 different perspectives. I struggle with the idea
15 of the one person/one vote that is our
16 constitutional mandate, but yet balancing that with
17 the understanding and the latitude that a deviation
18 allows. But at the end of the day, I do feel more
19 strongly pulled toward the one person/one vote. So
20 I too felt the need to weigh in on the issue, as
21 now I believe we all have. So that takes us back.
22 And thank you, Representative Bernstein. You
23 allowed the entire committee to be heard on the
24 issue. And I believe there's an amendment on the
25 desk there. So I'll let you explain further.

1 REPRESENTATIVE BERNSTEIN:

2 Yes, thank you, Mr. Chairman. So the amendment
3 that is before you effectively changes Section 4C
4 to 10 percent and plus or minus 5 minus. So you
5 can see those changes from the original language,
6 which has 5 percent up or down 2 and a half
7 percent. So my motion is that we change the
8 deviation to 10 percent plus or minus 5 percent.

9 CHAIRMAN JORDAN:

10 Just in a matter, make sure, I think Representative
11 Hennigan is about to make -- she seconds the
12 motion.

13 MS. HENNIGAN:

14 Second.

15 CHAIRMAN JORDAN:

16 That will then require us to take a roll call vote
17 on the matter.

18 FEMALE SPEAKER:

19 Representative Bamberg?

20 REPRESENTATIVE BAMBERG:

21 Aye.

22 FEMALE SPEAKER:

23 Representative Bernstein?

24 REPRESENTATIVE BERNSTEIN:

25 Aye.

1 FEMALE SPEAKER:

2 Representative Collins?

3 REPRESENTATIVE COLLINS:

4 Nay.

5 FEMALE SPEAKER:

6 Representative Elliott?

7 REPRESENTATIVE ELLIOTT:

8 No.

9 FEMALE SPEAKER:

10 Representative Hennigan?

11 REPRESENTATIVE HENNIGAN:

12 Aye.

13 FEMALE SPEAKER:

14 Representative Jordan?

15 CHAIRMAN JORDAN:

16 No.

17 FEMALE SPEAKER:

18 Representative Newton?

19 REPRESENTATIVE NEWTON:

20 No.

21 FEMALE SPEAKER:

22 A vote of 3 to 4, the amendment fails.

23 CHAIRMAN JORDAN:

24 All right. Are there any other issues we need to
25 take up as the committee at this juncture. All

1 right, seeing none, thank you again for your
2 participation, your traveling across the state. We
3 are now -- Ms. Dean is passing me a note saying of
4 course we are continuing to accept map submissions
5 on our website. I know we've heard from several
6 folks that said they're going to be presenting maps
7 and have presented maps. So we encourage and
8 welcome those to be able to review. Of course the
9 map room is open, and I believe members of the
10 House are in the process of making appointments.
11 And certainly I know the members of this committee
12 will do so as well. Once that process has the
13 opportunity to transpire over the next several
14 weeks, we will then reconvene at that time. Thank
15 you so much. Everybody drive safe. And we will
16 now conclude this meeting.

17 (MEETING CONCLUDED)

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CERTIFICATE

I, the undersigned, Karen A. Belanger, CVR, Notary Public in and for the State of South Carolina, do hereby certify that a digital recording was provided to me by Garber Reporting Service;

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

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

In witness whereof, I have hereunto set my hand and seal this 21st day of October, 2021.



Karen A. Belanger, CVR
Notary Public for South Carolina
Commission Expires: 4/18/2023

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