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REDISTRICTING SUBCOMMITTEE

PUBLIC HEARING

MARCH 31, 2011

6:35 p.m.

GREENVILLE COUNTY COUNCIL CHAMBERS

GREENVILLE, SOUTH CAROLINA

REPORTED BY: HEATHER M. CURLIN

Professional Court Reporter

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1 MEMBERS IN ATTENDANCE:

2

3 SENATOR GERALD MALLOY

4 SENATOR PHILLIP W. SHOOPMAN

5 SENATOR LARRY A. MARTIN

6 SENATOR ROBERT FORD

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8

9 STAFF IN ATTENDANCE:

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11 CHARLES TERRENI

12 E. KATHERINE WELLS

13 DEBBIE HAMMOND

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1 SENATOR MARTIN: All my committee members
2 that are here, come on up. It's been real good
3 visiting with everybody, but we need to get
4 started so we won't keep everyone out so late.
5 We appreciate this great turnout this evening.
6 Just take your time on finding a seat.

7 I'm Larry Martin. I'm the Senator from
8 Pickens County, sitting in tonight for the
9 Chairman of the Senate Judiciary Committee,
10 Senator Glenn McConnell from Charleston, our
11 President pro tempore and also Chairman of the
12 Committee. He was unable to be here. He's
13 having a very important meeting in Charleston.
14 But I want to welcome you on behalf of the
15 members of the Judiciary Subcommittee to these
16 public hearings that we've been having all
17 across South Carolina.

18 I'd like to begin by giving you a brief
19 overview of the redistricting process so that
20 you can understand what we're trying to
21 accomplish and how tonight's hearing fits into
22 the process.

23 First let me introduce the members of the
24 subcommittee. It's a bipartisan group of
25 members of the Senate Judiciary from all across

1 the state. You bring a wealth of experience
2 creating bold solutions to problems and
3 challenges that our state faces. And I'm sure
4 they'll do so in this regard as well.

5 From the Upstate, of course, in addition
6 to me representing the Upstate is Senator
7 Phillip Shoopman from Greenville County. Also
8 we have, from the Pee Dee, Senator Gerald
9 Malloy from Darlington. And from the
10 Lowcountry of Charleston, we have Senator
11 Robert Ford. We're delighted to have him here
12 tonight. You've got a long way to go back home
13 tonight.

14 SENATOR FORD: That's because I love
15 Greenville so much.

16 SENATOR MARTIN: That's right. And then we
17 have two other members of the -- well, three
18 other members, I guess, of the subcommittee:
19 Senator McConnell, Senator Cleary, and Senator
20 Hutto from Orangeburg, both of whom could not
21 be with us tonight.

22 As a Redistricting Subcommittee of your
23 Senate, we're charged with one of the most
24 important tasks before the General Assembly
25 this session. That's to initiate the

1 redistricting process in the Senate. We must
2 recommend legislation to the Senate Judiciary
3 Committee, which will redraw all of the state's
4 46 members of the senate districts and the
5 state congressional districts that include a
6 new seventh seat.

7 Likewise, there's a subcommittee in the
8 House of Representatives that's charged with
9 drawing a plan for the 124 districts in that
10 body of the legislature in crafting its own
11 version of congressional plan.

12 While the House and Senate have
13 historically deferred to one another when it
14 comes to the plans for their respective bodies,
15 their congressional plans may ultimately have
16 to be reconciled in the legislative process
17 through something that is known as a conference
18 committee. If the two bodies agree on a plan,
19 it must be submitted to the governor for her
20 signature in the same manner as any other bill
21 that is passed by the General Assembly.

22 Finally, under Section 5 of the Voting
23 Rights Act, any plan that is enacted into law
24 will have to be precleared by the Justice
25 Department in federal court in Washington

1 before it can take effect.

2 The reason we have to redistrict is to
3 ensure that our state's legislative and
4 congressional districts represent substantially
5 equal populations, thereby ensuring that each
6 person's vote is given the same weight as
7 another's in our system of representation.
8 Ideally, each state senate seat will have
9 100,552 persons, and each of our state's
10 congressional districts will have 660,767
11 persons.

12 Census results that were released a week
13 ago tell us the extent which the state
14 districts deviate from those ideal numbers.
15 District lines will have to be redrawn so that
16 some of the districts gain population and
17 others lose population in order to ensure the
18 required equality of representation.

19 So to begin the process of redrawing
20 districts, we're holding hearings in order to
21 listen to your views on the redistricting
22 process. And let me say at the outset, we're
23 not here for the purpose of considering
24 proposed redistricting plans. The subcommittee
25 has yet to reach that stage of the process.

1 But when the time comes, we'll have an
2 opportunity for the public to actually submit
3 plans for the subcommittee to consider.

4 Instead, this evening we're here to
5 consider the building blocks of those future
6 plans. We need to hear your opinion on the
7 criteria that you believe we should follow in
8 the line drawing process. We also want to know
9 about the communities of interest that we
10 should be aware of when drawing new district
11 boundaries.

12 Examples of redistricting criteria would
13 be requirements that consideration should be
14 given to communities of interest, the core of
15 existing districts; county, municipal, and
16 precinct lines; compactness; contiguity; as
17 well as the applicable laws and constitutional
18 standards.

19 We'd like to know how and would like to
20 hear from you how important these criteria are
21 to you and believe that we should take into
22 account when drawing these new district lines.

23 As for communities of interest, they may
24 be neighborhoods, they may be towns, or
25 political subdivisions that have common

1 interests that define them for purpose of
2 political representation. They could also be
3 areas defined by common economic interests or
4 characteristics, cultural affiliations,
5 recreational interests, or other factors that
6 cause people to identify with one another.

7 We'd like to hear from you about
8 communities of interest that you perceive to
9 exist in the area and how you believe they
10 should be considered in the process of drawing
11 district boundaries.

12 As we begin this public hearing, we will
13 ask those testifying to be clear. Redistricting
14 is an exact process, and clarity is a virtue.
15 For example, when speaking about criteria,
16 communities of interest, it's important that
17 citizens distinguish between whether they're
18 talking about congressional or senate
19 districts, as the subcommittee must consider
20 both. Along the same lines, please explain why
21 you believe an area is a community of interest
22 and where it is located. To assist you, we
23 have maps available for you to mark or identify
24 areas that you consider to be communities of
25 interest.

1 Second, we don't have rigid time limits
2 for people that wish to speak; however, we
3 would encourage you to have a goal of speaking
4 no more than five minutes so that everyone who
5 would like to be heard could be heard. And as
6 I mentioned earlier, this is the about the
7 sixth of these public hearings, and I think by
8 far the best turnout that we've seen by all of
9 them.

10 Also, if a citizen would like to submit
11 an extended written statement, we will accept
12 it for consideration. Written comments will
13 receive the same consideration as spoken ones.
14 And the handouts available that you see in the
15 back provide you with the U.S. Mail and e-mail
16 address to which comment may be sent.

17 Finally, in order to facilitate
18 communication with the subcommittee and to give
19 the public a way of keeping track of the
20 process, I encourage all persons interested in
21 the redistricting issue to consult our Web
22 site, and that information is located on that
23 as well. If you need that address or if you
24 forget it -- I'm not going to give you the long
25 redistricting address, but www.scstatehouse.gov,

1 and then you see the redistricting icon under
2 the Senate, and you'll see it there. The
3 address of the redistricting Web site is there
4 and it provides a lot of good, useful
5 information.

6 Finally, I want to thank you for your
7 time and for being here tonight. And before I
8 begin, I want to recognize the Senator from
9 Greenville, Senator Shoopman.

10 You wanted to make a brief comment.

11 SENATOR SHOOPMAN: Thank you, Mr. Chairman.
12 And being the only resident Senator from
13 Greenville on this committee, I do want to take
14 the opportunity to formally welcome my fellow
15 members from the other parts of the state here
16 to Greenville County and echo the same -- I
17 would say I'm very satisfied and humbled by the
18 turnout. It is the largest turnout we've had
19 to date, this being our sixth. And we have
20 four more hearings after this.

21 But again, on behalf of Greenville
22 County, I just wanted to welcome my fellow
23 Senators to Greenville.

24 SENATOR MARTIN: We appreciate that. Let
25 me also say we appreciate the Greenville County

1 Council for making this meeting room available
2 to us tonight and for all that cooperation.

3 All right. Let's get started. The first
4 person that wishes to be heard -- and I will
5 tell you, to give you an idea, I have 18 of
6 these thus far, and I'm sure others are being
7 signed back there. And some may have not
8 indicated clearly -- we have 25 now.

9 Some may not have indicated clearly, I
10 may call on you, if you don't wish to be heard,
11 that's fine. Don't feel bad about that. That
12 happens sometimes.

13 The first person to be heard is
14 Mr. Michael Meder.

15 MR. MEDER: Thank you, Senator. I don't
16 wish to be heard at this time.

17 SENATOR MARTIN: Okay. Thank you.

18 Steven Edwards. And if you'd like, if
19 you do have something, please come on up and
20 I'm going to ask you -- the other thing I
21 didn't point out, it wasn't -- I didn't see it
22 in the remarks. We have a stenographer. As I
23 told you earlier, we are producing a record
24 that will be available for anybody to inspect
25 regarding what folks say, because it will be

1 used not only by the members but other members
2 who can't be us with us tonight. So if you
3 would, identify yourself and then you can feel
4 free to tell us what you'd like us to hear.

5 MR. EDWARDS: Okay. Thanks a lot. My name
6 is Steven Edwards. I'll try to keep my
7 comments brief because I'd like to talk about
8 the synopsis here where it says the purpose of
9 this meeting is to be truly representative of
10 the people but not being to receive specific
11 comments of specific plans.

12 I don't know how familiar everyone is
13 with the history of congressional apportionment
14 and the number of Representatives in the United
15 States House, but when I heard that the state
16 was going to get one more seat, I realized
17 that, while it's an interesting topic, it
18 doesn't properly do anything to represent us.

19 Initially, when our country was founded
20 and we had the Constitutional Convention, we
21 had an apportionment of one congressman for
22 one -- yes, one congressman for every 35,000
23 citizens. We had Public Law 62-5 that set this
24 number at 435. Since that time, the ratio has
25 now gone up to one representative for every

1 660,000 citizens. So now we have 1/18th the
2 voice that we had initially.

3 You know, this is a flaw in our
4 Constitution, but it is a flaw akin to the
5 Three-fifths Compromise. It is a great
6 travesty, and I don't see how any redistricting
7 plan can solve this problem.

8 And so I ask that when you consider this
9 that you work to address this with the federal
10 government. Just stop and consider that a
11 British citizen has greater representation in
12 the Parliament. The Canadian citizen has
13 greater representation in their Parliament.
14 The Japanese Diet, they have better
15 representation. It averages one citizen for
16 every 125,000 citizen -- or one representative
17 for every 125,000 citizens.

18 This was the only time that George
19 Washington spoke at the Constitutional
20 Convention. He waited until the very end and
21 said that he thought the ratio, as proposed,
22 which was one representative for every
23 40,000 -- 45,000, was too high to secure the
24 liberties of the people.

25 We've seen time and again things such as

1 the TARP program, the recent healthcare law,
2 many things on the national level where the
3 people have been opposed time and time again,
4 but the representatives don't listen because
5 they don't have to. The people have no voice.
6 And I don't mean to denigrate their honor, but
7 when you have a small number of any commodity
8 in any market, it drives the price up. And
9 it's quite simply too expensive for us to buy
10 our voice. If there was more representation,
11 the price would come down.

12 So when you propose your redistricting
13 plans, I ask you to think about how we can
14 lobby the national government to fix this. We
15 can call an Article V Convention. This was the
16 very first of the 12 Amendments proposed in the
17 United States Constitution, 10 of which became
18 our Bill of Rights. But it did not pass
19 because of an error in the verbiage when it
20 came out of compromise (inaudible) in the
21 United States House and Senate.

22 And ever since that time, with every
23 proceeding generation's census, our rights have
24 been eroded. So I ask you to please think
25 about this, because if you don't, there will be

1 another revolution one day over representation.

2 Thank you.

3 SENATOR MARTIN: Thank you. I appreciate
4 your coming.

5 Douglas Wavle. Welcome.

6 MR. WAVLE: That's pretty good. That's
7 very close. I'm Doug Wavle, and I represent
8 the Taylors Fire and Sewer District, a special
9 purpose district here in Greenville County. I
10 also am vice-chairman of the Greenville County
11 Special Purpose District Association, therefore
12 representing the other fire, sewer, water
13 districts in our county.

14 And I had the privilege in 2000 to be the
15 presidential elector in South Carolina
16 representing the 4th Congressional District.
17 So I'm speaking to the senate districts as well
18 as the congressional districts, and I'll be
19 specific on each.

20 One more thing that I had done for over
21 12 years, I served as the voting member for
22 Greenville County on the Republican State
23 Committee. And so I look at the county that I
24 represented for 12 years in party politics and
25 see the importance of the community of the

1 county itself.

2 So as far as the 4th Congressional
3 District is concerned, I would like very much
4 to see the entire county, Greenville County, be
5 in one congressional district rather than being
6 cut in pieces.

7 I know that Spartanburg County and
8 Greenville County cannot be together. But
9 that's a different community than ours, even
10 though we have shared on the 4th Congressional
11 District. The county itself, whether it's
12 Spartanburg County or whether it's Greenville
13 County, that county has representation
14 in both political parties with voting members.
15 And they are not necessarily the same.

16 Over the years -- there's a slight
17 difference between Spartanburg and Greenville.
18 But the truth of the matter is, as you know,
19 Spartanburg and Greenville County are very
20 strong political parties -- political actively
21 party, and the Republican Party more so than
22 the Democrat Party, even though when I was
23 first elected, we had a U.S. Congresswoman that
24 was a Democrat from Spartanburg County, and she
25 served us well. And for the last several

1 years, we have had representation in the U.S.
2 Congress with Republican candidates that have
3 won the election.

4 Going away from the party politics,
5 getting into the representation of the
6 community, the congressional districts being
7 split in the county, you're splitting your
8 groups that are gathering together, whether it
9 be Democrat or Republican, whether it be
10 Libertarian or Constitutional Party, these are
11 generally county parties. And it's good that
12 they are working together to see the election
13 of their specific favorite candidate for that
14 office.

15 And when you split the county, it's
16 difficult to actually try to bring that county
17 together to support their chosen nominee. And
18 that's an issue that I think needs to be
19 considered as best you can when you're dividing
20 up the district for a congressional district.

21 Going to the county area, our district,
22 the Taylors Fire and Sewer District, is
23 somewhat between being a suburban and an urban
24 area. And we are currently blessed by Senator
25 Shoopman covering our urban area -- excuse me,

1 our suburban area. It's a rural area that he's
2 covering. And we have folks in our district
3 that are really a bit out in the country. And
4 then we have folks that are pushing on the city
5 limits, Wade Hampton Fire Department, if you
6 will, the city of Greenville and we touch with
7 the city of Greer. So we have that urban
8 sense. But we have Senator Mike Fair
9 representing a good portion of our fire
10 district.

11 So we've got our folks that are somewhat
12 in the urban area represented by Mike Fair, who
13 also has part of the Greenville metropolitan
14 city area, and we've got Senator Shoopman
15 representing the rural area. So our people
16 that we are servicing at the Taylors Fire and
17 Sewer District like the situation with the
18 senate seat actually spreading across our
19 district, but not all districts are going to be
20 the same.

21 Some districts -- some of the special
22 purpose districts would rather have one contact
23 that they can go to to talk to state
24 government. And that would be if their special
25 purpose district, fire department, sewer,

1 water, whatever, was in that, in that district,
2 they could talk to one and, specifically, if
3 you will, lobby that one for something they
4 felt they needed for their district.

5 I also serve on the ad hoc committee for
6 ReWa, Greenville Renewable Water Resources, and
7 that spreads beyond our county and it spreads
8 beyond our current congressional district. And
9 the cooperation that our special purpose
10 districts, ours being a fire and sewer
11 district, that the sewer districts,
12 metropolitan being one and -- there's several
13 in this area -- we cooperate with Renewable
14 Water Resources in helping them do their job.
15 Basically all the local sewer districts are is
16 the transporters of the sewage from the
17 individual private homes and businesses to the
18 main lines that ReWa has.

19 So some people get confused about a sewer
20 district. A local sewer district doesn't get a
21 dime, not a penny, from your sewer bill. Every
22 month or every quarter when you're paying water
23 and sewer, none of that money goes to the
24 special purpose sewer district. All of our
25 income comes from the taxes on the property

1 once a year.

2 And that's something that sometimes you
3 say, okay, what can we do and who can we go to
4 to kind of get some assistance, especially when
5 we have something major. In our particular
6 area, we have lines that have been in the
7 ground for many years. We've got one area that
8 was a mill village, and we've got a major
9 expansion we've got to do. Okay, who do we go
10 to to try to get some assistance? Because
11 we're going to have to redo those lines
12 completely, and that's a major expense for a
13 small district. Because back in the days when
14 the mill was built, they built the homes on top
15 of those lines. And, of course, we can't touch
16 those lines; they're on private property.

17 So, I mean, those are some issues that
18 you look at in community for us as we're
19 serving as fire and sewer commissioners. We're
20 looking to who can we go to and what
21 information can we get from our representative.

22 Well, right now, as I've mentioned, we've
23 got dual representation. And that's not a bad
24 thing for us because we've got two senators
25 with minds; we actually have two house members

1 as well. That district breaks in that way. So
2 that we've got a resource that we can go to as
3 commissioners and ask for help. So that
4 community itself is important to us too.

5 Can we continue with something like that
6 where we -- we, as a small, local legislative
7 group, if you will, know where we can go up
8 line to get assistance that they know, what can
9 we do to help.

10 And we're appreciative of the folks that
11 have been very, very cooperative when we've
12 dealt with the Senate, the House. I've been
13 down to speak before the Judiciary Committee at
14 the House, and it's good to know there's a
15 responsiveness from you folks that represent
16 us. And I'm very thankful for that. But that
17 representation -- the last speaker made a
18 comment about the representation,
19 you know, being dispersed. We don't have the
20 representation we used to have.

21 Well, I'm thankful as a Presidential
22 elector back in 2000, I really got down to the
23 nitty-gritty of how the representation goes.
24 I represented 96,000 votes from Congressional
25 District 4, voting for the candidate that was

1 elected, George W. Bush, back in 2000. And the
2 votes for that was 2 to 1 with the other
3 candidates together. And to President Bush,
4 when he took his first election, that district
5 was strong, and we're thankful for that.

6 But I got to thinking real careful,
7 because there was a push by our current
8 secretary -- U.S. Secretary of State for not
9 having the vote being by congressional district
10 or, if you will, by the Presidential Electoral
11 College, but rather than just simply by the
12 majority vote of all voters. If that kind of a
13 push had gone through and we had tried to do
14 away with the Presidential Electoral College,
15 then we can say a place like South Carolina
16 doesn't even need to vote. Because all you've
17 got to do is take New York City, Chicago, Los
18 Angeles, San Francisco, you take those cities,
19 and even Miami, put them together, and our vote
20 doesn't mean a thing.

21 I'm so thankful that the founders of our
22 nation saw fit to have a representation through
23 the Congress, the U.S. Congress, by count. The
24 electors were set by one for each congressional
25 district in your state, and that's set by

1 population, and one for each of the two
2 senators.

3 In our case in 2000 and 2004, there were
4 eight Presidential electors in this state.
5 With the changes coming, we will now have nine.
6 To make it closer to the people, closer to the
7 people, if each of those congressional
8 districts could cast their own vote singularly
9 and the two that are represented by at-large,
10 in other words, senate seats, voted together by
11 the populous vote for the whole state, then
12 you'd have a closer representation than we have
13 right now. Because right now it's winner take
14 all. Winner take all.

15 You could take California, for instance.
16 The metropolitan areas of California are real
17 strong, real strong Democrat communities,
18 whereas the rural counties seem to be
19 Republican communities. And as such, those
20 kind of breaks in congressional districts with
21 the representation on the Electoral College,
22 you would have a closer election to what the
23 people voted.

24 And that's why I'm encouraging what
25 you're doing in the communities. Let's keep it

1 in the communities. Thank you very much for
2 your time.

3 SENATOR MARTIN: Thank you.

4 Mr. Dan Richardson. Welcome.

5 MR. RICHARDSON: Good evening, Senator
6 Martin.

7 SENATOR MARTIN: Good evening.

8 MR. RICHARDSON: It's been a long time
9 since I've seen you last. I, too, was an
10 elector in '96 and in the year 2000 for the
11 Republican Party, but I'm not going to go into
12 that. Okay?

13 My primary concern here is real simple.
14 We can resolve all future senatorial
15 redistricting if you go back and do what we
16 need to do. We go through this every ten
17 years. Since 1964, the Supreme Court ruled in
18 an 8-to-2 decision under Reynolds v. Sims that
19 the concept of "one man, one vote" takes place.

20 I don't have any problem with one man,
21 one vote; I think it's great. But the problem
22 is they've applied equal representation across
23 the board. They've done that for both House
24 Senate -- State Senate races and House of
25 Representative races. The U.S. Senate is made

1 up of two senators per state. How long will it
2 be before the Supreme Court rules that New York
3 ought to have five or six U.S. Senators and
4 South Carolina only have one. How long will
5 that be?

6 I'd like to read something to you. It
7 says, the Court ruled a state's apportionment
8 plan for seats in both houses of the state
9 legislature must allocate seats on a population
10 basis. You read that. You understand that.
11 But I believe it was applied erroneously by the
12 Justice Department and not just the U.S.
13 Supreme Court.

14 And I'm not a judge, I'm not a lawyer,
15 but I'm a common fellow that understands my
16 Constitution. We have a republic form of
17 government guaranteed to each state. The word
18 "democracy" is not in our U.S. Constitution,
19 it's not in our State Constitution, but
20 "republic" is. And I'm not talking about
21 Republican versus Democrat. I'm talking about
22 a republic form of government.

23 We have representation, and we do it by
24 two means. You do it by the census report
25 where you determine population of a U.S. House

1 seat, and you do it by based on house seats
2 within the state. But you don't do that for
3 U.S. Senator seats, and you don't do that for
4 State Senator seats either. Prior to 1972, you
5 didn't.

6 Because South Carolina has 46 counties --
7 and you've got them listed -- we have 46
8 senators. What I'm getting up to is the state
9 legislature should initiate action to nullify
10 the U.S. Supreme Court ruling on apportionment
11 and revert to the South Carolina Constitution,
12 one senator per county.

13 Before the Supreme Court heard this
14 argument, it abstained in addressing
15 apportionment issue before because it
16 considered it political in nature. Everything
17 we do in here tonight is going to be political
18 in nature. You can resolve that by going back
19 to one senator per county. Okay?

20 The Court's ruling in 6-2 favor of the
21 plaintiffs for state legislatures to
22 reapportion their seats to reflect population
23 shifts before the election that were to fall --
24 in the fall of 1962, it decreed "one person,
25 one vote" as part of the U.S. constitutional

1 heritage -- not so -- opening the door to
2 challenging state voting procedures and
3 malapportionment on constitutional grounds.

4 That's been going on since 1962, and
5 we're going to go on after this. You're going
6 to have some more challenges after this is over
7 with. Am I not right? Been done.

8 Justice Harlan lambasted the Court for
9 ignoring the original intent of the Equal
10 Protection Clause, which he argued did not
11 extend to voting rights. Harlan claimed the
12 Court was imposing it's own idea of "good
13 government" on the states, stifling creativity
14 and violating federalism. That's exactly what
15 they did. Eight U.S. --

16 Although the Constitution explicitly
17 grants two senators per state regardless of
18 population, Harlan further claimed if Reynolds
19 is correct, then the United States
20 Constitution's own provisions of two U.S.
21 Senators from each state would be Constitutionally
22 suspect, as the 50 states have anything but
23 substantial equal representation.

24 Like I said, New York, how many people is
25 in New York? Millions of folks. We've got 4

1 million in South Carolina. They're going to --
2 one of these days, it's coming out. It's going
3 to take us away, and we're going to become a
4 pure democracy.

5 And the way it all started -- and I'm
6 going to give you a little lesson in history
7 here, if you don't have it. And I think you're
8 smart enough to know this already. And you've
9 heard a lot about the 17th Amendment.

10 The 17th Amendment took away the
11 appointment of U.S. Senators by the state
12 legislature. The U.S. Senator was supposed to
13 represent the political entity of the state,
14 not the people in the state but the political
15 entity. It's taken that away.

16 The State has no authority over the U.S.
17 Senator any longer. You can't recall one of
18 them if he does something bad. You can't
19 recall one if he does something nitty-gritty.
20 We need to correct that. How are you going to
21 do it?

22 I've worked 28 years in the Republican
23 Party in South Carolina, and I'm standing here
24 before you tonight not as a Republican but as a
25 citizen from my state, my county. I have a

1 state senator that's representing three
2 counties. Is that right?

3 I'm losing power. My senator has less
4 than one vote, really. He's got a vote, but
5 he's not representing me in toto in Greenwood
6 County.

7 In 2000 they had a census report, and
8 they gerrymandered -- in 2001, they
9 gerrymandered the senate districts again and
10 moved Gerry -- Senate District 9, which is
11 Senator Verdin, moved him up into Greenville a
12 little bit further; and they moved Senator John
13 Drummond over into Laurens County, took in
14 Cross Hill area; they moved Billy O'Dell,
15 Senator, District 4, which is supposed to be in
16 Anderson County, moved him all the way around
17 to the end of Abbeville and into a tiny portion
18 of Greenwood.

19 If you look at this map, there's a little
20 finger here, right down at the bottom of this
21 where the green fits the gray -- you'll see
22 it -- is where Billy O'Dell lives. Senator
23 O'Dell -- I like Senator O'Dell, but he lived
24 there for about ten years before he was even
25 put in that senate seat. You gerrymandered it

1 for that senate seat.

2 Senator John Drummond stood before me and
3 told me that's what he was going to do. He did
4 it. I don't know how he did it, because he
5 wasn't in power then. But that's what we're up
6 against. Political gerrymandering.

7 Eliminate the political population for
8 state senators and put us back one senator per
9 county. Our State Constitution said that from
10 1890 up until 1970 -- well, it still says it.
11 Okay? Still says that. And I'm suggesting you
12 repeal, nullify that judge's -- those eight
13 judges that ruled against them.

14 Thank you very much.

15 SENATOR MARTIN: Thank you.

16 Mr. Evert Headley.

17 MR. HEADLEY: Hi, my name is Evret Headley.
18 I live in Travelers Rest. I want to thank you
19 all for the opportunity to come speak at this
20 public meeting.

21 Specifically, I wanted to talk about two
22 things. One would be the congressional
23 district change, obviously, that we're going to
24 have up here in the 4th Congressional District.
25 Obviously, with the census numbers that came

1 out with the 4th Congressional District lines
2 as they are, they are, from my understanding
3 from what I've read, we're about 105, maybe
4 106,000 votes above what that number is going
5 to be. I know y'all have got a little bit of
6 leeway, and there's probably a percentage of
7 points that y'all can shave here and shave
8 there. But we're about 100,000 votes above --
9 or 100,000 people above what we're supposed to
10 be in that congressional district.

11 So I know we're going to have to do
12 something to split the district up. But I am
13 concerned, we've got two distinct communities
14 here. We've got Spartanburg and we have
15 Greenville, and they have been in the same
16 congressional district for a long time.
17 They're also the number one and the number four
18 counties in the state.

19 Spartanburg has the distinction of being
20 one of the largest counties in the entire state
21 without its own anchor as a congressional
22 district. And at this point, if you're going
23 to split something, go ahead and -- split
24 the -- split the counties in half, keep the
25 counties whole in my recommendation. Keep

1 those communities together as one for
2 Greenville, one for Spartanburg, if you're
3 going to split it.

4 I would be against splitting a county,
5 for example, Greenville County in half,
6 throwing it in another congressional district.
7 I know that makes your job a lot tougher.
8 Believe me, I understand that. That's why y'all
9 get paid the big bucks to do what you do.

10 And I know it's a domino effect all
11 across the state. Believe me, I understand
12 that. And I think -- one of the things I think
13 that y'all try to look at, you try to keep the
14 communities together. I think you need to try
15 to keep the counties together as much as you
16 possibly can.

17 Of course, in some areas that's not going
18 to be possible. There's just not enough
19 voters. They're going to have to go -- and
20 they try to keep the communities inside those
21 counties together.

22 I'm concerned for two reasons. One,
23 Greenville and Spartanburg have had a large
24 influence in the state, both in an economic
25 area as well as a political area and some other

1 areas. We bring a lot of diversity to the
2 state in our economics and the business that we
3 bring to -- that we have in the communities
4 here. And I don't want to see that influence
5 diminished by cutting off a small section of
6 either Greenville or Spartanburg and sending it
7 off to another congressional district where,
8 yeah, it's going to have a voice, but that
9 voice is really small as compared to what the
10 big county should have been having a voice
11 with. So that's my concern on the
12 congressional lines.

13 And again, I understand y'all have a big
14 job ahead of you. You've got to take six
15 counties and make them into seven and make
16 everybody happy, or at least enough people
17 happy.

18 In the state senate -- I currently live
19 in Senate 5. I'm right on the line between
20 Senate 5 and Senate 6. And I know in Senate 7,
21 just by looking at the numbers, Senate 5 is
22 over by 115,000 voters. Senate 6 is short by
23 about 5. Senate 7 is short by 17. Senate 8
24 has got 11,000 voters over. So you've got some
25 weird dynamics you're going to have to do there

1 to make everything work.

2 As I said, I live in the Travelers Rest
3 community, and Travelers Rest has got two
4 precincts now. Plus we've got Furman, which is
5 the precinct right below us, and then Furman
6 University is there as well. And that's a --
7 it's starting to become a community. We've got
8 the Swamp Rabbit Trail that travels right
9 through Furman. And so there's a lot of people
10 that travel that little jogging trail and
11 biking trail. So if you can, keep those two
12 communities together.

13 And if that helps, you know, get --
14 because I said, I know Shoop -- or Senate 5 has
15 to give up some votes. That would help in that
16 regard. And then Senate 6, from what I
17 understand, is probably going to have to give
18 up some votes. I don't know where else they're
19 going to come from. I mean, Senate 7 has to
20 have some. There's voters that need to be put
21 into that district. So again, I don't envy
22 y'all's job.

23 But as I said, I am -- Greenville-Spartanburg
24 have been together for a long time. And we've
25 done -- with the congressional districts, it's

1 been a strong congressional district. But at
2 this point, if you're going to start lopping
3 off large sections of either one of those, let
4 us go our separate ways and maybe we can lead
5 the state to bigger and brighter things
6 separately.

7 And the last thing I would say is out of
8 the six largest counties in the state,
9 Spartanburg County right now -- Spartanburg and
10 Horry are the only counties that don't have an
11 anchor. And I know one of the plans that's out
12 there shows Horry being the anchor for a new
13 congressional district, which is fine. I don't
14 have a problem with that. But then Spartanburg
15 County is left being tied with another county
16 without an anchor. And even in Lexington and
17 Richland, you have two congressional districts
18 there. So you have two voices, those two
19 distinct voices, you know, going up to
20 Washington, D.C. and representing us in the
21 state.

22 Sorry I jumped tracks on you there.
23 Anyway, that's all I have.

24 SENATOR MARTIN: Thank you. Thank you very
25 much.

1 Mr. Scott Crosby.

2 While he's coming forward, let me just
3 say that I've heard and I'll say seen some
4 things where people have suggested --

5 Come on up, Mr. Crosby.

6 -- under some "plan" that a county would
7 be here or there. Let me just assure everybody
8 at this stage of the hearing, there are no
9 plans. There are no plans. Not any plans that
10 your folks that are going to be voting on have
11 developed or are working on or have done
12 anything with.

13 You know, the software being the way it
14 is today, everybody can create a plan and shoot
15 it out there. But I can assure you just as
16 sincerely as I'm sitting here, we haven't
17 developed any plan or we haven't thrown out
18 plans or begun to develop plans prior to having
19 these hearings. And I just wanted to say that,
20 because I think that's something you need to be
21 assured of and know where we are in the
22 process.

23 So with that, Mr. Crosby.

24 MR. CROSBY: Thank you. I live in Mauldin,
25 and I guess my main desire is that Greenville

1 County stay as a single political unit under a
2 single congressman. I have heard rumors of
3 plans -- I guess everybody has -- that the
4 Mauldin area and southern Greenville County
5 might go to Jeff Duncan's area.

6 Now, Jeff is a nice guy. He's doing a
7 good job in Washington. But in Mauldin, we
8 very much identify with Greenville County and
9 with Greenville town and with -- and I know
10 Greenville and Mauldin both have contributed to
11 Trey Gowdy's campaign and worked very hard for
12 him.

13 The ideal situation is for that new
14 congressional district to be here in the
15 Upstate. It's time for Spartanburg and
16 Greenville to be split up. They're too big to
17 stay together.

18 But however you do it, I really think and
19 urge you to make Greenville County a single
20 political unit, a single congressional
21 district. If you have to add other pieces of
22 other districts of other counties, that's fine,
23 or if you have to add other counties in. But
24 as the gentleman before me said, Greenville
25 should be an anchor for a district and

1 Spartanburg should be an anchor for a district.

2 Thank you.

3 SENATOR MARTIN: Thank you.

4 Mr. Jim Lee. Welcome.

5 MR. LEE: Like you, I have no plan. My
6 name is Jim Lee. I live here in Mauldin in
7 Greenville County. I represent no specific
8 community of interest, political subdivision,
9 neighborhood, or geographical area. I
10 represent one person -- me -- and one vote.

11 I want to say thank you to the
12 subcommittee for holding these important
13 hearings. Clearly, based on the turnout here
14 tonight, there's increased interest in both the
15 process and the outcome. I'm here tonight to
16 simply and respectfully remind the subcommittee
17 in the importance of transparency in this vital
18 process.

19 Transparency is more than just holding
20 hearings and sharing the end result. It should
21 include transparency in the process as well.
22 There should be clear, guiding principles that
23 are the basis for developing the redistricting
24 plan. It must comply with the Constitution.
25 It must meet the criteria used by the

1 Department of Justice or the U.S. District
2 Court in D.C. for preclearance.

3 As a side note, I would just simply ask,
4 why is it that we are still under preclearance?

5 It must be apolitical and put the
6 interests of we the people of South Carolina
7 above all others. Stakeholders in the
8 redistricting process are many and their stakes
9 are varied. I believe the ultimate stakeholder
10 in this process is we the people. As
11 subcommittee members, you are stakeholders in
12 that you are charged with drawing a plan for
13 consideration by the Senate. As members of the
14 General Assembly, you're stakeholders because
15 you will both consider and influence your
16 colleagues with regard to the plan submitted
17 for consideration.

18 As citizens of the state of South
19 Carolina and the United States, you are a
20 stakeholder because, like me, you deserve equal
21 protection under the law. As an incumbent of
22 elected office, you have no legitimate stake in
23 the redistricting process. I respectfully ask
24 the subcommittee to be mindful throughout the
25 entire process of the importance of

1 transparency and to faithfully represent the
2 interests of we the people of South Carolina.

3 Thank you.

4 SENATOR MARTIN: Thank you.

5 Mr. Henry Parr. Welcome.

6 MR. PARR: Good evening, Senators. And
7 thank you for coming to Greenville to hear from
8 us. Nice to see some friends up there.

9 I live on Woodland Way in Greenville
10 County. I'm in Senator Anderson's district. I
11 believe he's out there today.

12 I just have one -- I'm not coming to
13 talk about the state legislative districts. I
14 think it is so important, as the other speakers
15 have said, to keep Greenville County together.
16 Greenville and Spartanburg County have grown
17 too big to be in the same congressional
18 district.

19 And as you know, Greenville County is the
20 most populous county in the state. Ten percent
21 of the people of South Carolina live in
22 Greenville County. And if you divide us, you
23 will hurt 10 percent of the people of South
24 Carolina. In our county, there are more
25 at-risk children than in any other county. We

1 have a lot of strength but we have a lot of
2 problems, and we need to have our whole county
3 in one congressional district.

4 And I think it's very easy to do that
5 just by joining us with either Oconee County or
6 joining us with Laurens. It's a terrible thing
7 when you have to split a county, and you may
8 have to split some. But I would urge you, when
9 you split, don't split the largest county in
10 the state where 10 percent of the people live.

11 And thank you for coming to listen to us
12 tonight.

13 SENATOR MARTIN: Thank you, Mr. Parr.

14 Reverend J.M. Flemming. Welcome.

15 REV. FLEMMING: Welcome. Welcome to
16 Greenville. I'm J.M. Flemming.

17 We know that the federal law requires
18 that the state hold public hearings for public
19 input on redistricting. However, the
20 guidelines that the State Senate uses do not
21 guarantee fairness, transparency in reporting
22 back to the public. Your guidelines do not
23 tell us that you have to come back before you
24 vote.

25 We need to be sure that we have access to

1 all of the information. So for that reason and
2 for the record, I make the following request:
3 That the Senate provides fairness, transparency
4 to all of its citizens by making sure, by
5 making sure that the public hearing summaries
6 of all maps, all plans for redistricting go on
7 the state redistricting Web site in a timely
8 manner; and secondly, that we keep District 7
9 Senate Seat District 7.

10 Thank you.

11 SENATOR MARTIN: Thank you.

12 Curtis Askew. Welcome.

13 MR. ASKEW: Good evening. I'm going to try
14 to be brief, but I'm going to try to be very
15 procedural. Because I know y'all like
16 procedure, right? In your handout when we came
17 in tonight, you gave us only part of the Senate
18 Redistricting Packet that's on the Senate
19 Redistricting Web site. In particular, I have
20 in my hand Tabs 1 through 5 that are found on
21 the Senate Redistricting Web site.

22 And what I'd like to draw your attention
23 to would be Tab Number 3 and Tab Number 4. And
24 in Tab Number 3, you have the Policy for Public
25 Participation, South Carolina Senate Judiciary

1 Committee Redistricting Subcommittee
2 Guidelines, which are not adopted. It's X'd
3 out in terms of the date. And then you have
4 the Policy for Public Submission.

5 What I'd like to draw your attention to
6 is, in particular, three items that I think
7 need either greater clarification or should
8 certainly be clarified as you proceed forward.
9 First, in defining "communities of interest,"
10 we know that this is a legally amorphous
11 concept. It covers lots of things. You've
12 already heard from a number of individuals
13 about counties. We also have neighborhoods and
14 subdivisions that could potentially fall under
15 this. Economic areas. A wide range of things
16 fall under communities of interest.

17 As you go forward, I respectfully submit
18 that we ensure as opposed to using communities
19 of interest as a rationalization post hoc that
20 the concept of communities of interest be
21 included for all plans that are drafted into
22 legislation. Meaning, for any plan that comes
23 to the floor for a vote, that it be very clear
24 how communities of interest were defined, if at
25 all, so that there's no question about what a

1 community of interest is within a particular
2 map.

3 The second point is listing of all
4 organizations that have submitted a plan. In
5 Tab 3, I believe it is, it is indicated very
6 clearly that only members of the legislature
7 will be able to present plans for vote. If
8 that is the case, then we have, as the public,
9 no way of knowing exactly what the origin of
10 the plan is, yet for groups that are submitting
11 plans that are considered, we know that that
12 submission itself contains the information for
13 the group and other identifying information.
14 It's already a part of Tab Number 4 under the
15 Policy for Submission.

16 I respectfully submit that that
17 particular area be made publicly available so,
18 for the sake of transparency, everyone is very
19 clear about where plans are originating and who
20 originated them.

21 Finally, it's pretty clear to anyone who
22 works in -- with GIS and geospatial information
23 technology that, while PL-94 data is the data
24 that drives the process when individuals are
25 putting together maps, they don't necessarily

1 rely solely on PL-94 data.

2 I respectfully submit that in the process
3 of drafting into consideration any plan that
4 all databases used to create that particular
5 plan be identified. It is extremely important,
6 particularly when we go back to the item of
7 communities of interest, that this idea of how
8 you came up with the map be something that the
9 public is readily able to do. If I'm trying to
10 recreate the map using online software or
11 whatever, it's important for me not just to
12 look at a hard copy map but also to know what
13 the content of that map is.

14 Finally, I wanted to ask this question
15 which I think is really important, which is
16 about the total variance. We're six sessions
17 into a process that is driven by the very
18 definition of total variance. Am I correct?

19 SENATOR MARTIN: Six steps into the
20 process?

21 MR. ASKEW: We're six -- you've already had
22 six hearings, correct?

23 SENATOR MARTIN: Right.

24 MR. ASKEW: The process of redistricting is
25 driven by the very notion of total variance.

1 Am I correct?

2 SENATOR MARTIN: It will be when we start
3 drawing maps, I would assume, but we haven't
4 developed that.

5 MR. ASKEW: I understand. But, again, you
6 see what my issue is? We're into a process
7 which may not even be necessary, if you will,
8 if we're below 90 percent of variation. It
9 could be a simple matter of amending the
10 existing plan that is already in place, yet
11 we've proceeded as if that process will take
12 place. Did I mis --

13 SENATOR MARTIN: I don't follow you, but
14 we've got your -- I think we have the gist of
15 your question, and we have a gentleman here
16 that's following those type questions very
17 closely and will attempt to respond to you on
18 that.

19 MR. ASKEW: Okay. Thank you.

20 SENATOR MALLOY: Maybe we should suggest
21 that he speaks to the lawyer.

22 SENATOR MARTIN: Yeah. Charlie Terreni is
23 our attorney assigned to us for this purpose,
24 and he'll be glad to speak to you afterwards.
25 But we have -- I will tell you this, in answer

1 to that question for everyone, the committee
2 has made no decision at all on any of the
3 elements.

4 The variance being the specific question
5 that you asked about, we have not had a meeting
6 to discuss it. We were appointed by the
7 chairman to begin the process of holding public
8 hearings, which we're doing; and at some point,
9 as soon as the public hearing process is
10 completed, we'll sit down as a subcommittee and
11 take action on the merits. And that will be --
12 or on the issue of criteria. And that will in
13 turn be put on the Web site and disseminated
14 back to the public.

15 MR. ASKEW: Okay. Thank you.

16 SENATOR MARTIN: Thank you.

17 Mr. William Allen.

18 MR. ALLEN: Thank you for coming and giving
19 us a chance to express our views. You made a
20 comment that triggered something in my mind
21 when you said the federal government has to
22 approve these plans. I've been studying the
23 Constitution, and I don't see anything in the
24 Constitution that gives them the right to do
25 that. Furthermore, the laws that exist does

1 not include all states, and that's not equal
2 treatment under the law. That's just a
3 comment.

4 I agree with the previous people that
5 said that Greenville County should be kept
6 intact, but I disagree about splitting off
7 Spartanburg. I voted for Trey Gowdy. He's a
8 good man; I'd like to keep him as my
9 representative. So I would suggest --
10 presently, if you combine the two counties,
11 about 75,000 over the number you're shooting
12 for. So I would suggest you take that number
13 out of somewhere in Spartanburg County, not
14 including Trey's residence, and solve the
15 problem that way.

16 Thank you very much.

17 SENATOR MARTIN: So noted.

18 Reverend Ennis Fant. Welcome. It's good
19 to see you again.

20 MR. FANT: Good to see you, Senator. It's
21 been awhile.

22 SENATOR MARTIN: Yes, sir.

23 MR. FANT: My name is Ennis Fant. I'm here
24 tonight on behalf of the African-American
25 Pastors Leadership Conference. And a couple of

1 comments we wanted to make and one thing I just
2 had to mention just for the record, a lot of
3 people -- I've heard two or three comments with
4 regard to not understanding or not wanting
5 South Carolina to still be under preclearance.
6 It's comments like that is the reason we're
7 under preclearance. This is South Carolina and
8 it has a history is the very reason we have to
9 be under preclearance, to make sure everybody
10 has the opportunity to have representation in
11 government.

12 Now, with regards to communities of
13 interest, we've met and we would like to
14 suggest and, for the record, continue to
15 encourage the Senate to recognize county lines
16 as much as possible in redistricting and
17 continue to include that as a community of
18 interest as you have done historically.

19 Secondly, as been echoed by many persons
20 tonight, we do not have any objections with
21 Greenville being split from Spartanburg with
22 regards to an additional congressional district
23 versus the bottom tips of both counties being
24 cut off and put in with Laurens to keep both
25 counties together. So we would like to see

1 Greenville and Spartanburg split versus taking
2 population from the lower part of the county
3 and moving it into another congressional
4 district.

5 The last and final question I think --
6 and I think Mr. Askew addressed it as well, we
7 were under the impression that the total
8 variance number had been determined because
9 that lays the groundwork for how much shifting
10 you have to do and how many people you've got
11 to pick up or lose. In light of the fact that
12 the total variance for the state has yet to be
13 determined, it kind of leaves a big question
14 mark as to where we are, and it's sort of like
15 putting the cart before the horse.

16 We certainly applaud you for having the
17 hearing, but the total variance number is going
18 to be quintessentially important to helping us
19 really formulate as to what direction we need
20 to go with regards to helping outline some
21 senate districts that are of particular
22 question.

23 SENATOR MARTIN: Sure.

24 MR. FANT: Thank you.

25 SENATOR MARTIN: Thank you.

1 Mr. Perry Simpson.

2 MR. SIMPSON: Thank you for this
3 opportunity. I'm Perry Simpson. I'm from
4 Senate Seat 10. Ten years ago, I was from
5 Senate Seat 9. Next year, I don't know what
6 senate seat I'll be from, but I would like to
7 solve that problem, and I think I have a plan.
8 The plan has already been mentioned.

9 There's been many comments about
10 communities of interest, and my community of
11 interest tonight is Laurens County. And I
12 think the Reynolds v. Sims ruling was an
13 erroneous ruling. And we all make mistakes,
14 but we should not perpetuate any erroneous
15 ruling. I think that could be corrected.

16 I think it was erroneously applied to the
17 senate seats. And I see no reason why we can't
18 go back to the Constitution and have one
19 senate -- one senator per county, 46 each. So
20 I think that's the best plan. And I humbly ask
21 your consideration for that plan.

22 Thank you.

23 MR. MARTIN: Thank you.

24 Mr. Theo Mitchell. Welcome. Good to see
25 you.

1 MR. MITCHELL: Thank you. Mr. Chairman
2 Martin, Members of the Senate Panel, Ford,
3 Shoopman, and Malloy. I haven't seen y'all in
4 quite a while. It's always good, as they say,
5 to have you come to Greenville and be able to
6 listen to the intelligence that we have
7 permeating throughout the community in this
8 audience.

9 I'm not here to go through the history.
10 You heard a lot of the history from my
11 predecessors who have come up here. Certainly
12 we all know the whole reason for the Reynolds
13 v. Sims and other cases that unfortunately had
14 to be brought to be able to bring about equity
15 and parity as far as redistricting and
16 representation is concerned.

17 It so happens that I'm familiar with the
18 hearings throughout the state when I was in the
19 House and Senate. We reapportioned on several
20 occasions. At least two and a half. I didn't
21 make it to the latter part of the half.

22 But be that as it may, the community of
23 interest is one that you need to look at as far
24 as the congressional district is concerned.
25 There's no way we can get by Senate District

1 6 -- I'm sorry -- U.S. House District 6 without
2 looking at that new house district that is
3 going to be brought about.

4 In the State Senate, can't get by Senate
5 District 7 here in Greenville. Can't dilute
6 it. Going to have to look at the minority
7 representation and the people who actually hold
8 those seats and take out from it.

9 The last time I was sitting on a panel
10 dealing with reapportionment, the argument was
11 do we start from the bottom of the state or do
12 we start from the top of the state. Those
13 lines and configurations make all the
14 difference in the world as far as where we
15 start drawing the lines. I think you-all know
16 that.

17 We know that no matter how you look at
18 it, there are going to be those who, as the old
19 saying goes, CYA. This is the real test of
20 statesmanship. This is not an emotional issue.
21 This is the real political issue. And that is,
22 why are you sitting there and why should
23 somebody else not want to sit where you sit but
24 to serve and to give input and to have a say
25 and to bring about what they feel is an input

1 from their community.

2 There's no way, shape, or form can we
3 omit the fact of the Hispanic growth in the
4 state and certainly here in this Upstate when
5 we draw lines. South Carolina has the largest
6 Hispanic population proportionate in any state
7 in the nation. What are we going to do about
8 it? Are we going to have others represent
9 them, or do we just close our eyes to their
10 aspirations and their desires for
11 representation, just like the fight that it had
12 as far as blacks.

13 I don't think that we can represent all
14 ethnic groups in their own entity and their own
15 aspirations, desires, and all of the stuff
16 you've been reading about and all the talk
17 shows that talk about some of the things that
18 have changed a whole lot of minds, and I think
19 prejudiced a whole lot of people.

20 You have an awesome task. I applaud all
21 you. I commend you for you taking and making
22 the sacrifice. But remember, we can't dilute.
23 We are going to have to pay for what some
24 people in the past saw fit not to do the right
25 thing. And that's why we have to be

1 precleared.

2 That's why -- I had to laugh when you
3 talk about one senator per county. We have 300
4 some-odd thousand people in Greenville County.
5 And then think of McCormick County. 7,000
6 people. One senator? Abbeville County --
7 13 -- I couldn't -- I can't believe some of the
8 mentality that keeps us in court.

9 And I believe our governor said we have a
10 deficit, and I certainly don't think we have
11 enough money to fight again in the district
12 courts and spend a whole lot of money trying to
13 correct wrong things.

14 Thank you very much.

15 SENATOR MARTIN: Vardrey Fleming. Vardrey
16 Fleming. Welcome.

17 MR. FLEMING: Yes, I am Vardrey Fleming,
18 and I am president of the West Greenville
19 Community Association, one of the largest
20 communities in the city of Greenville.

21 Just briefly, my concern is as I -- as we
22 have worked very hard over the years to
23 revitalize the community and to not only just
24 housing-wise but otherwise, I am very much
25 concerned as we talk about redistricting about

1 separating the people. I -- my concern is that
2 if we separate the people after working so hard
3 to bring them together and to move forward
4 socially and otherwise, that this would be
5 devastating to your community.

6 Thank you very much.

7 SENATOR MARTIN: Thank you.

8 Doris Fleming.

9 MS. FLEMING: Good evening. I am Doris
10 Fleming, vice president of Sterling Community
11 Neighborhood Association. And I'm a resident
12 of Sterling. I disagree with South Carolina
13 Voter ID Bill. I think it discriminates
14 against the handicapped, the elderly, and the
15 nondrivers. I would like to see District 23
16 and 25 to be nesting districts in District 7.

17 I live in a community of people with
18 common interests. Don't reduce our voting
19 power by splitting the districts. Thank you.

20 SENATOR MARTIN: Thank you.

21 Dorothy Russell. Welcome.

22 MS. RUSSELL: Thank you for the
23 opportunity. My name is Dorothy Russell. I'm
24 here because I want my statements recorded. I
25 live in a common interest community. It

1 extends from Anderson Street -- you don't have
2 it on -- you can't see it, but I'll tell you.
3 It extends from Anderson Street, Pendleton
4 Street; from Anderson to Valentine Street;
5 Andrews Street to Easley Bridge Road convening
6 back into Pendleton Street. This area is
7 called Sterling community.

8 Now, I'm the president of the Sterling
9 Neighborhood Association. We have experienced
10 the results of cracking and packing methods of
11 the 1965 Voting Rights Act. We strongly
12 disagree with it. We demand to be allowed to
13 vote for our current state and local
14 representatives.

15 If you should change precincts based on
16 census data, think about locations closer to
17 communities of common interests. For example,
18 the Sterling community has a rec center. It
19 has adequate space for voting abilities and the
20 facilities to be able to vote -- to have people
21 in the community come in to vote there. By the
22 way, if you must change precincts, send
23 notifications at least a month early so that
24 the voters will have a chance to make
25 appropriate adjustments.

1 Districts 23 and 25 must remain. I said
2 Districts 23 and 25 must remain in Senate
3 District 7, the Congressional District 4.

4 And I appreciate your time.

5 SENATOR MARTIN: Thank you.

6 Clarence Echols. Welcome, Mr. Echols.

7 MR. ECHOLS: Thank you. Thank you,
8 Senators, for the work that you're doing. I'm
9 Clarence Echols, and I'm president of the
10 Greenville County NAACP branch. I live in
11 Senate District 8. And the reason why I want
12 to say that is because that is David Thomas's
13 senate district.

14 One of the things that we have to be
15 concerned about is the attitudes and ideas that
16 are being put forth by some of our
17 representatives, some of the things that have
18 been put forth like the Voter ID Bill, which
19 has been described by a friend of mine as a
20 solution without a problem; Immigration Reform
21 Bill, where you propose to have small groups of
22 paid law enforcement personnel ride around
23 through the state and help various municipalities
24 enforce the Immigration Reform Bill. And the
25 last time I looked at South Carolina way back

1 when those small groups were going around
2 enforcing laws and so forth, you know what I'm
3 talking about.

4 The reason I mention this is because
5 redrawing the districts that are not sensitive
6 to the needs of the minorities in the Upstate
7 in particular will help dilute the voting
8 power -- the little voting power that we have
9 right now. Plans to split Greenville County
10 away from Spartanburg County and possibly join
11 Greenville County with counties like Pickens
12 and Oconee County where the minority population
13 is less than 10 percent would continue to
14 dilute the voting power of minorities.

15 We have a large population of
16 Hispanics -- or growing population of Hispanics
17 that was talked about by Mr. Mitchell. That
18 needs representation. When we say minorities,
19 we're talking about folk who do not have
20 representation. To have one senator per
21 county, I'd like to propose that if we had
22 that, there would be no minority senators in
23 the state of South Carolina if something like
24 that was approved.

25 So you have to look at the ideas and

1 attitudes for folk who have the power right now
2 to redraw these districts and apportion power
3 to minorities is suspect. I urge you again,
4 when you go back to start doing the work that
5 you do, to remain sensitive to the needs of
6 special interest districts, minority voters in
7 this state.

8 Thank you.

9 SENATOR MARTIN: Thank you.

10 Andrea Crockett.

11 MS. CROCKETT: Good evening. My name is
12 Andrea Crockett, and I am on the Sterling Land
13 Trust Board. And just very briefly I would
14 just like to say as well that we would like to
15 have our communities stay together, District
16 23, 25; State Senate District 7, and
17 Congressional District 4. If you would just
18 try to keep us together, because we are one
19 voice and we'd like to remain together.

20 SENATOR MARTIN: Thank you.

21 Steve Mauriello. Welcome.

22 MR. MAURIELLO: Thank you for having me.
23 I'm here to propose that I do not wish to have
24 the Greenville County cut by any way. I wish
25 it to remain the same. I think the most

1 appropriate district for District 7 would be
2 Greenville County, Pickens County, and Oconee
3 County due to the contemporary socioeconomic
4 situations between these three counties.
5 They're highly -- Greenville is a highly
6 vibrant county, Pickens is growing, and Oconee
7 will benefit by the combination of the
8 Congressional District 7 being in that corner
9 of the state.

10 Another word I'd like to say -- and I
11 hope no one takes offense -- but our growing
12 Latino population, I'd like to know how many of
13 them are actual legal citizens. So I'm not
14 going to take of that -- anything of that into
15 account at all until it's proven that they are
16 legal citizens of the United States of America.

17 But again, I think the most appropriate
18 redistricting and would help the state would be
19 Greenville County, Pickens County, and Oconee
20 County. It will be a very solid technological
21 economic area.

22 Thank you for having me.

23 SENATOR MARTIN: Thank you. Thank you.

24 Brit Adams. Welcome.

25 MR. ADAMS: Thank you. I'll have to

1 disagree with the last gentleman. I'm from the
2 3rd Congressional Seat District, and being
3 citizens of that, we have the Oconee Nuclear
4 Station over there. And that's a very
5 important thing to our community. We'd like
6 the 3rd Congressional District to stay the way
7 it is. Jeff Duncan has a good understanding of
8 nuclear energy. We like his energy plans, and
9 we'd like to keep that all intact.

10 Thank you.

11 SENATOR MARTIN: Thank you.

12 Esther Wagner. Welcome.

13 MS. WAGNER: Thank you. Hello. Hi,
14 Senator Shoopman. It's nice to see you again.

15 My name is Esther Wagner, and I'm here
16 for the Esther Wagner Needs A Job Foundation.
17 But actually, I was going to speak on that
18 Greenville County needs to be kept as a single
19 entity, but many people have already done that.
20 Maybe not so eloquently, but they have done it.

21 But I would like to say that I have the
22 distinct displeasure to work for the census,
23 and I can't speak for the last ones, but I can
24 tell you that this one is so flawed that it
25 shouldn't be used to organize a softball team

1 let alone our representation in Congress.

2 Thank you.

3 SENATOR MARTIN: Lottie Gibson. Ms. Lottie
4 Gibson.

5 MS. GIBSON: My area of concentration has
6 been voiced. Thank you.

7 SENATOR MARTIN: Thank you, Ms. Gibson.
8 It's good to be with you tonight.

9 Maxim Williams. Welcome, Mr. Williams.

10 MR. WILLIAMS: Good evening. Maxim
11 Williams. I would first like to request that
12 what I'm wearing is not entered into record. I
13 just came out of Karate class.

14 SENATOR MARTIN: So noted.

15 MR. WILLIAMS: I am a director out of the
16 mission division for Bon Secours St. Francis
17 Health System, and I'm here today for a simple,
18 practical request. We are working directly
19 with the City of Greenville, Greenville County,
20 and the residents of the entire Sterling
21 neighborhood, so my request, therefore, is that
22 the current lines of this community of interest
23 remain intact as you hear, review, and make
24 adjustments to lines and plans.

25 I make this request on behalf of such a

1 small community for the following reasons:
2 Although small, it is a historic community to
3 the African-Americans throughout Greenville and
4 throughout the country. The last almost three
5 years, we created a master plan of which I'm
6 the lead facilitator, and it recognizes and
7 depends on the current map identified by the
8 city and county. This plan addresses economic
9 development plans, helping create new income
10 streams and opportunity for Sterling residents,
11 West Greenville residents, and Greenville at
12 large.

13 The commercial and residential lines
14 currently established are an opportunity for
15 West Greenville and her residents to have a
16 more vibrant and healthy and economically
17 viable community for all in that area.
18 Infrastructure plans are reliant on the map,
19 and we have engaged, at least in my view, a
20 very inspiring level of collaboration between
21 the city and county. I'm kind of new here, but
22 I hear that's a good thing.

23 This plan has appreciated the good will,
24 advocacy, and resource allocation of all its
25 city, county, Senate and House representatives.

1 The residents of the community who have formed,
2 as you've heard, the first community land trust
3 in South Carolina ahead of enabling legislation
4 reside in this neighborhood that has both city
5 and county lines. Their work in unison with
6 the county, the city of Greenville and a long
7 number of nonprofits, churches, businesses, and
8 our health system relies on the map Sterling --
9 the current map of Sterling to remain intact
10 and not suffer a divide or a shrinkage.

11 A once historically African-American
12 community is now a home to a diverse group of
13 residents: white, black, Hispanic, young, and
14 old, and all have engaged in ways of
15 revitalizing this community in ways that both
16 benefit Sterling and Greenville.

17 It is little known that the Sterling
18 history -- the name Sterling comes from a
19 Caucasian woman who funded the education of an
20 African-American man who then founded the
21 school who he named it after. He also worked
22 with black and white leaders to establish a
23 homeownership base in the late and early 1900s.
24 This was our collective history as a people of
25 all backgrounds working together. Our work

1 today honors that legacy of inclusion.

2 I would like to close by highlighting the
3 exact borders of the community so you have
4 record of these street names as you review maps
5 and neighborhood lines. The Sterling borders
6 are: Pendleton Street, Easley Bridge Road,
7 Andrews Street, Valentine Street, and Anderson
8 Road, Vardry Street back to Anderson Road.

9 The map of this community can be found at
10 our hospital Web site, stfrancishealth.org or
11 from the city of Greenville or Greenville
12 County Redevelopment Authority. The master
13 plan can also be found at our hospital Web
14 site, and it's currently going through the
15 final rounds of approval both with the city and
16 the county.

17 Thank you for your time.

18 SENATOR MARTIN: Thank you.

19 Representative Chandra Dillard. Welcome.

20 REPRESENTATIVE DILLARD: Welcome home?

21 SENATOR MARTIN: Yeah. The Senator from
22 Greenville wanted to know if you were going to
23 let him testify before the House committee.

24 REPRESENTATIVE DILLARD: Sure. It works
25 both ways, doesn't it? Well, I know what kind

1 of day you've had, so I will be very short.

2 SENATOR MARTIN: That's fine.

3 REPRESENTATIVE DILLARD: Many of my
4 constituents have been before you and expressed
5 many of the things that I would say. And I'm
6 very proud of them for being here at the
7 hearing. You did hear comments concerning
8 Districts 23 and 25 remaining in Senate Seat 7.
9 And in regards to District 23, I'd like to say
10 that it should remain whole in Senate 7 and not
11 piecemealed as we go along. Because I know
12 this is going to be a challenging process.

13 And what I also add is we have heard many
14 times tonight about communities of interest,
15 that they really do need to be defined. And
16 they can be defined by street boundaries but
17 also in looking at our county and municipal
18 economic and community development departments.
19 They have clear boundaries for neighborhoods.
20 They are named. So there is no reason why we
21 can't identify those communities of interest.

22 And then lastly, I will simply say that
23 as you consider the variance, which is going to
24 be so important, that you perhaps think outside
25 the box and not look at what has already been

1 done. Because again, this is going to be very
2 challenging. And that if we need a higher
3 variance than we've had in the past, then let's
4 consider that in order to ensure that each
5 person is represented with their vote.

6 So thank you, Senators.

7 SENATOR MARTIN: Thank you. We appreciate
8 you being with us.

9 Mark Powell. Welcome.

10 MR. POWELL: Thank you. Mark Powell. I've
11 got a question. I need clarification before I
12 speak. Are you talking about this map and this
13 map only or also the individual House of
14 Representatives on the state level?

15 SENATOR MARTIN: We don't handle the House.

16 MR. POWELL: Thank you. I wish you would
17 have said that earlier. I think we could have
18 had a lot speeches cut a lot shorter than they
19 are tonight.

20 SENATOR MARTIN: Yeah. And I want to make
21 clear, the South Carolina House that
22 Representative Dillard is a member of, we're
23 not -- they handle -- and I made that comment
24 in my opening remarks. That was a script that
25 Ms. Hammond gave me that Chairman McConnell's

1 been sharing with all groups. And that's the
2 first time I had read it, because he always
3 chairs these meetings. But the Senate -- just
4 like any bill, the Senate traditionally has
5 handled its plan, the House handles its plan.
6 But, now, we both pass and will consider like
7 any other bill the congressional plan. We will
8 have a plan, they will have a plan, but we will
9 accept their House plan and they will accept
10 our Senate plan.

11 MR. POWELL: Thank you. I was just --

12 SENATOR MARTIN: We don't have a lot to say
13 about what they do.

14 MR. POWELL: I didn't think you did. And I
15 had to listen to way more stuff than I probably
16 should have had to --

17 SENATOR MARTIN: That's okay.

18 MR. POWELL: -- based on what you're
19 actually here for.

20 All right. Jeff Duncan's my man. He's
21 cool. But if you think about the situation
22 that we have, he represents nine and a half
23 counties. One man, one voice, nine and a half
24 counties. Greenville County is huge. There's
25 like five guys that split it up. I'm not going

1 to threaten you with a lawsuit by saying road
2 here, street here, community here, this
3 neighborhood, that neighborhood. I think you
4 need to take the blinders off and you need to
5 look at it as pure numbers.

6 Now, you asked us to be specific in
7 like -- I forgot the fancy word you used for
8 like "neighborhoods that are important to you"
9 kind of thing. It's not important. If you
10 keep that kind of stuff and you allow it to be
11 micromanaged, you're defeating the purpose of
12 representation. Some people will say you get
13 more representative, but the problem is is in
14 my -- got to get my map right. In my senate
15 district, I have Mr. Billy O'Dell. Now, I am
16 really ticked to hear that map might have
17 gotten redrawn years ago when he lived down in
18 the Ware Shoals area. I mean, what a stupid
19 looking map for my district. Okay?

20 So if that's happening, take off the
21 blinders. Don't listen to political parties.
22 Don't listen to your friends who are in
23 political office. Don't listen to people even
24 out here that say draw the line here, I demand
25 it, I require it.

1 I'm not demanding or requiring anything.
2 I'm begging you to take off the blinders and
3 simply -- maybe use a computer program
4 that does -- keep humans out of it. Keep
5 special interest out of it.

6 Let it simply -- if it's got to be by the
7 numbers, let a program do it. Yeah, you may
8 tweak it to kind of semi make the program look
9 for one area. But my area is one of the many
10 stupid-looking areas on there. I wish ours is
11 simple as, you know, some of the other places.
12 But the little fellow who's got from Mount
13 Pleasant all the way up to Myrtle Beach, how
14 can he be a representative of the people he
15 represents when it takes him a day to get from
16 person to person. Okay? That's a problem I
17 see with how we're doing this.

18 For instance, my representative, Billy
19 O'Dell, he has what I'm going to call the south
20 side of 85. If you look at that, almost the
21 I-85 corridor. Look at the money in those
22 districts.

23 I'm from Pelzer. Okay? Mill hill.
24 Ain't no money in Pelzer. Pelzer, just like
25 Greenville, got started because it was a

1 textile mill, and that's where people went to
2 live. Okay? Greenville is the same way.
3 You've torn down all your mills and we've torn
4 down all of ours.

5 But the problem is my representative is
6 representing what I'm going to call the more
7 poverty side of Anderson County. If you look
8 at the money and where the money is and then
9 you throw them all the way down into Hodges and
10 down into there, my representative, what kind
11 of voice do we have when we don't have the
12 money to give our representative to represent
13 us.

14 I would like for everyone to go to the
15 South Carolina Ethics Commission Report under
16 Candidates Campaign Contributions, and I think
17 you would find it very interesting that the
18 people who have, for instance, in my area, the
19 north side of I-85, city of Anderson,
20 Powdersville, the big money folks around Lake
21 Hartwell, we don't have any -- well, we do have
22 the little bottom corner down there in my
23 district. But I think what happens, the way
24 you've got it drawn now, it follows the money.
25 And it follows the ones who squeal real loud

1 and claim they're going to -- you know, "keep
2 it here or." Okay?

3 I beg you not to do any of the "keep it
4 here or," and I beg you not to listen to
5 senators or friends saying, don't write me out
6 of my district. What am I going to do? You'll
7 run against the person who is in the office
8 next time around in a different district. So
9 if you write people out of the districts they
10 now live in, tell them to get over it. They
11 can run for the district they're now located
12 in. Okay?

13 So don't do anything because someone says
14 you must, I'm gonna watch you, I'm telling you.
15 Do it because it's the simplest thing to do.
16 Don't do it because of your friend or anybody
17 out here who threatens you.

18 I'm a native American. It don't get no
19 minoritier [sic] than that in this situation.
20 I'm asking you not to use any special
21 interests.

22 SENATOR MARTIN: Thank you.

23 Mr. Darrin Goss. Welcome.

24 MR. GOSS: Thank you. Well, good evening.
25 I'd like to just make a few comments, and my

1 comments are really more procedural in nature
2 as it relates to this hearing as well just to
3 point out that so far so many folks have talked
4 tonight, and really none of them have been from
5 my county. I'm actually from Spartanburg
6 County Senate Seat 12, Congressional District
7 4, of course, and really live between two
8 communities. I work here in Greenville County
9 at the United Way.

10 And one of the things that I see on a
11 day-to-day basis is the underrepresentation of
12 those in both communities who need voice. I
13 should also mention I pastor a church in
14 Spartanburg County. So a unique set of lenses
15 that I see this process through. So as we talk
16 about procedures, there's a couple of things
17 that I just want to underscore that have
18 already been said, and that is, access to the
19 redistricting data and plans as you go and
20 continue this process.

21 I think it's very important for those
22 things to be transparent, to be made available.
23 I have some concern about some language and
24 terminology regarding that the Senate procedure
25 said you will try to make those -- that

1 information available. I say that, for the
2 record, that you should not try but you should
3 commit to making those plans public and making
4 them accessible to those who cannot afford it,
5 who do not have the resources in making those
6 available without cost, because your current
7 procedures require the potential to have to pay
8 for those things.

9 The second thing I would say, to
10 underscore what Representative Dillard said
11 earlier, is how we define communities of
12 interest. Communities of interest certainly
13 for county lines but also for those predefined
14 special emphasis neighborhoods here in
15 Greenville County or those community economic
16 development neighborhoods in Spartanburg County
17 that have already been defined by both city and
18 county municipalities in their community
19 development areas.

20 I would also say that I think that race
21 does play a role in the whole idea of
22 representation. And because of our storied
23 history and because of the underrepresentation
24 of historic voices to the political process
25 that communities of interest defined by race,

1 by voting consistencies, as well as some party
2 affiliation should be a part of what you
3 review.

4 Finally, I would say that I agree that we
5 should have continued hearings, that this not
6 be the only one for you as well as our House
7 hearings that are forthcoming, as we can see
8 openly the maps that are drawn and are being
9 debated by both sides of our elected assembly.

10 So thank you very much.

11 SENATOR MARTIN: Thank you, Pastor.

12 And along those lines, on April 13th at
13 5:30 in this very room, the House Judiciary
14 Committee --

15 Is that right, Representative Allen?

16 REPRESENTATIVE ALLEN: That's correct, sir.

17 SENATOR MARTIN: 5:30 on April 13th in this
18 room the House Judiciary Committee will hold
19 its reapportionment public hearing.

20 Mr. David Aguilar. David Aguilar. Did I
21 pronounce it right? He might have left.

22 SENATOR FORD: Unless you pronounced it
23 wrong.

24 SENATOR MARTIN: The Senator from
25 Charleston believes I pronounced it wrong.

1 Leola Simpson. Leola Robinson Simpson.

2 Is she still here?

3 MS. SIMPSON: Good evening, gentlemen.

4 SENATOR MARTIN: Welcome.

5 MS. SIMPSON: We sometimes in our
6 deliberations forget about school district
7 redistricting, so I would like to go on record
8 asking you to keep communities of interest
9 intact when school board lines are redrawn.

10 School board redistricting is also
11 important. When school district lines are
12 drawn, these lines often do not follow the
13 county council lines. In the 2000
14 redistricting process, huge minority
15 communities of interest that have formerly been
16 located in District 25 were shifted north to
17 District 26. As a result of that, along White
18 Horse Road in Greenville, we lost communities
19 along Staunton Bridge Road and the Judson
20 community and the Woodmont community down
21 toward Canterbury, which formerly were in
22 District 25, and this diluted the
23 representation of minority students and
24 parents.

25 So we just ask you not to forget about

1 how those lines involving communities of
2 interest are drawn when it comes to our school
3 board seats. Thank you very much.

4 SENATOR MARTIN: Thank you.

5 That, my friends, was the last speaker
6 that we have signed up. Does anyone else wish
7 to be heard?

8 Yes, sir. Simply identify yourself
9 for the record.

10 MR. CHEEZEM: My name is Bear Cheezem. I'm
11 a graduate student at Clemson University. I'm
12 also a resident of the 6th Congressional
13 District, U.S. Congressional District. I was
14 unable to attend the meetings in Conway and
15 Florence, so tonight was my option to come and
16 talk.

17 I would like to talk about as long as
18 I've been living, the area of the Pee Dee and
19 the Grand Strand have been represented by
20 people from Charlotte, York, Columbia, and
21 Charleston, and most of the interests of the
22 Pee Dee can be tied to Florence and Myrtle
23 Beach. And so when you're looking at
24 redistricting, look at the economic ties the
25 communities have to each other as well as the

1 cultural ties that keep those communities
2 together. That's really what I wanted to say.

3 SENATOR FORD: What's your name again?

4 MR. CHEEZEM: My name is Bear, B-E-A-R;
5 Cheezem, C-H-E-E-Z-E-M.

6 SENATOR MARTIN: Thank you. We appreciate
7 you sharing that with us. And by the way, I
8 think the Conway hearing actually is going to
9 be Monday evening. Is that correct?

10 SENATOR FORD: And Florence is Wednesday.

11 SENATOR MARTIN: Yeah. Yeah. But we're
12 glad you came tonight. Welcome. We're glad to
13 have you.

14 Would anyone else like to be heard?

15 Yes, sir.

16 MR. AGUILAR: Yes, sir. My name is David
17 Aguilar, and I'm a student and activist. And,
18 sir, just three things very briefly. Number
19 one, I would say that many people have said
20 that Greenville is both socially and
21 economically a single community. I wish for
22 that to be kept together. People have said it
23 more eloquently than I have, and I would like
24 to lend my voice to that.

25 And secondly, regarding the census data

1 and the exploding Latino population,
2 particularly in the senate district which I
3 live in and the precincts which I live in,
4 Sevier in Wade Hampton, if the census data is
5 to be trusted -- and we don't know whether it
6 is or can be -- but it's going to be -- that's
7 what our districts are going to be drawn
8 according to and how many of those people are
9 illegal or not is not clear.

10 I am of Latino decent myself. It is
11 possible even to draw a Latino plurality seat
12 in Greenville County, a house seat. So I would
13 encourage that that be kept in. When we're
14 redrawing districts, that we think about that.

15 But lastly, the most important thing
16 would be -- we talked about transparency. And
17 we really appreciate your coming out here and
18 listening to us. But I would like to see -- as
19 you've said, right now we haven't drawn any
20 maps -- but when we start drawings maps and the
21 legislature begins to draw maps, that that
22 would be made available to the public every
23 step of the way. That not only the map would
24 be available on, for example, the state's Web
25 site, but that the information and rationale

1 behind it, even if these are proposals, that it
2 doesn't come down to the end where we're
3 presented a map and the public input -- it's
4 basically already decided and the public does
5 not have much input.

6 So I would like to see hopefully the
7 state legislature would really take into
8 consideration, Mr. Senator, public input all
9 along, not just at the beginning right now and
10 not just at the very end when it really is not
11 of much consequence anymore.

12 So thank you, sir, for coming out.

13 SENATOR FORD: David, spell your last name
14 for me, please.

15 MR. AGUILAR: David Aguilar, A-G-U-I-L-A-R.

16 SENATOR MARTIN: I think I mispronounced
17 awhile ago. Thank you so much.

18 Welcome. Come on up. If you would, give
19 your full name.

20 MR. ROMINE: Sure. I'm Ron Romine from
21 Spartanburg. R-O-M-I-N-E. I'm here in a -- I
22 guess you would say tilting-at-windmills
23 position. I'm a yellow dog Democrat, and I
24 might as well say that right at the beginning.

25 As it stands right now, Democrats make up

1 in a given presidential year, Al Gore, John
2 Kerry get 36, 37 percent of the vote in South
3 Carolina. And I realize the difficulty. And
4 the Supreme Court always has recognized that
5 party is a reason to challenge redistricting
6 proposals. They have not been very specific on
7 how that's done.

8 But I would submit to you that if we have
9 a 7th Congressional District, which we do have,
10 and Jim Clyburn is the only Democrat in that
11 group, Democrats are seriously underrepresented
12 in the Congress of the United States. That
13 takes it down to about 14 percent.

14 But I fully appreciate your job, and
15 that's why I'm -- I say it's tilting at
16 windmills. It is not tilting at windmills to
17 remind you, however, the African-American
18 population of this state is about close to 30
19 percent. If there is only one African-American
20 member of that congressional delegation.

21 (People speaking in unison: There's two.)

22 MR. ROMINE: Well, okay. There are two.
23 Yes. You're right. You're right. But I would
24 not count on that individual lasting very long.

25 SENATOR MARTIN: We've done very well, but

1 I want the speaker to address us.

2 MR. ROMINE: To be quite honest, I would
3 just remind you in pursuit of both of these
4 objectives that for the first time since 1960,
5 the Justice Department of the United States is
6 controlled by Democrats. And whatever comes
7 out of here will eventually have to pass muster
8 with a Democratic administration. You might
9 just keep that in mind as we go forward.

10 SENATOR MARTIN: Thank you very much.

11 If you would, those of you that come up
12 and speak, if you would, give the young lady
13 your address and e-mail address where we can
14 contact you.

15 MR. GARCIA-QUINTANA: Thank you, Senators.
16 Thank you. Good to see you again.

17 SENATOR MARTIN: State your full name for
18 the record.

19 MR. GARCIA-QUINTANA: Roan Garcia-Quintana.
20 I live in Mauldin, South Carolina.

21 MR. FORD: Roan what?

22 MR. GARCIA-QUINTANA: Garcia-Quintana.

23 It's a Spanish name.

24 THE REPORTER: Please spell your name for
25 the record.

1 MR. GARCIA-QUINTANA: G-A-R-C-I-A-hyphen-
2 Q-U-I-N-T-A-N-A.

3 I would like to thank you for having this
4 opportunity. It's sad to hear here the desire
5 to keep hyphenating Americans. You know, I
6 happen to have been a native of Cuba, but when
7 I took that oath of citizenship, I dropped my
8 hyphen. I mean, I have my hyphenated name, but
9 I don't want to hyphenate a label. So just
10 call me an American. And this should not be
11 based on segregating Democrats, giving
12 Democrats -- protecting incumbents.

13 Thank you.

14 You know, you guys know the games you
15 play up in Columbia -- down in Columbia. I
16 lived there most of my life and I've been
17 living here for the last ten years, and you
18 know, you keep protecting yourselves. I'll
19 name one person. Joe Wilson. When he was
20 Senator, he took Chapin out because they
21 weren't voting for him. Now subsequently Jackie
22 Knotts took that seat. And where I used to
23 live in White Hall, it's no longer there. It's
24 all Red Bank. Redneck Red Bank. And that's
25 what Jackie Knotts gets.

1 And anyway, I would just like to say do
2 the right thing. I know the courts have this
3 thing about gerrymandering and allowing us to
4 gerrymander, but all that does is segregate our
5 communities. Contrary to what was said here,
6 we have one senator per county, I would dare
7 say the numbers would dictate that you probably
8 on the State Senate would end up with more
9 African-Americans than less. Instead of
10 creating -- as far as Congress, like it was
11 said, two African-Americans already represent
12 our state. Why do we need to do that? Just
13 start thinking of being just an American
14 without hyphenating yourself.

15 I know the history. I know the history
16 of the South. I love the South, warts and all.
17 But it's time to come together and put our
18 needs as Americans and not hyphenate ourselves
19 to death.

20 Thank you.

21 MR. EARLE: Hi. Nathan Earle. E-A-R-L-E
22 is the last name.

23 I guess my main concern up here tonight,
24 I've got actually two of them. First of all,
25 if you'd look at some of the shapes of some of

1 these directs, they are, as one of the speakers
2 pointed out, a lot of them are real spread out.

3 I'm a lawyer, and before I became a
4 lawyer I had to go to law school. And one of
5 the cases we read was a case emanating out of
6 North Carolina. A congressional district up
7 there had, essentially, pods. There was a pod,
8 a community here, and then it ran along
9 Interstate 85 for quite some distance without
10 really capturing any of the community there
11 before it hit the next pod, and then it
12 traveled on down the interstate a little bit
13 further.

14 And, you know, the purpose there was to
15 guarantee that that was going to be a
16 minority-controlled congressional seat in order
17 to satisfy the Justice Department. Okay? And
18 that seems to be the rule. Okay?

19 So if you guys do anything different,
20 then you probably are going to make Eric Holder
21 upset. But I would encourage you not to worry
22 inordinately about upsetting Eric Holder or the
23 Obama Justice Department and that you would
24 focus more on obtaining true fairness. Because
25 I would submit to you that some of those

1 African-Americans in that congressional
2 district lived so far away from their
3 congressman and he probably visited his office
4 so infrequently that they didn't have any
5 meaningful representation other than the fact
6 that that congressman shared the same skin
7 color with them.

8 And I'll tell you, as some people seem to
9 have forgotten, Tim Scott does represent a
10 congressional district in South Carolina, and
11 that man is an African-American. Or as he
12 would probably say, he's black. Okay?

13 And it is really time for us to get past
14 it being 1870. It is 2011. The Civil War was
15 more than a hundred years ago, and we are
16 still -- and I understand that there's some
17 issues, but I wanted to ask the gentleman who
18 was up here earlier if he knew who the
19 President of the United States was. And I can
20 tell you, it's not George Washington. And so I
21 just -- you know . . .

22 So if your focus is on fairness in making
23 sure the people are represented, you'll make
24 sure that as much as possible, especially for
25 these state senate seats that, you know, that

1 the district is relatively compact. Because
2 the closer people are in together, the more
3 there is going to be an authentic community and
4 the more that one senator or that one
5 congressman is going to speak for that entire
6 district.

7 That's all I have to say.

8 SENATOR MARTIN: Thank you.

9 Mr. Dan Harvell. And he will wind us up.

10 MR. HARVELL: Well, good to see you here,
11 Senators. And I know some of you remember me
12 well from the Property Tax Reform days in
13 Columbia. I had a lot of discussion with
14 Senator Ford during those times. I appreciate
15 y'all being here.

16 Much has been said tonight that I agree
17 with, and that does not need to be repeated.
18 But the one thing that I do want to point out
19 here, from my standpoint as a citizen taxpayer,
20 I want these lines to be drawn, no matter
21 whether they're county council, school
22 district, state representative lines, senate
23 lines, or congressional lines, I want to make
24 sure for me I'd like to know that they're drawn
25 not because of political voting history.

1 Gerrymandering.

2 These districts that we're looking at
3 here, many of them have more to do with who
4 voted historically in what matters in past
5 elections than they do with population. And
6 I'm sorry to say that, but I know that for a
7 fact.

8 In Anderson County, as part of the
9 Anderson County Taxpayers Association, we did a
10 pretty thorough look back when redistricting
11 was done in our county districts the last time.
12 And we looked at those long-term sitting
13 incumbents and we looked at the voting patterns
14 in those districts, and we watched what
15 precincts were dropped and what precincts were
16 picked up based on those incumbents' past
17 voting results. And that can certainly happen
18 here. And I'm sure that a lot of the lines
19 that you see here are a result that we have
20 today of that very same thing.

21 So all I'm saying is let's try to keep
22 this process as scientific as we can and not
23 let our representatives, elected and honorable
24 as they are, not let them draw these lines
25 based on whether or not it's going to make it

1 easier for themselves to get re-elected.

2 Thank you.

3 SENATOR MARTIN: Thank you. Ms. Lottie
4 Gibson.

5 MS. GIBSON: I am Lottie Gibson, and I
6 serve on the Greenville County Council. And
7 on behalf of the Council, I want to thank you
8 for coming and especially for sharing in the
9 people's house.

10 I certainly wanted to suggest that you
11 pass the word on for our April meeting that we
12 have the gavel and that we have the time clock
13 and that we have clear instructions on what
14 we're supposed to say as it relates to
15 redistricting. We've had lessons in history
16 and all of this, but let's try to stay on
17 target for what we're about.

18 And again, I thank you. And if I'm in
19 order, I move for dismissal.

20 SENATOR MARTIN: You did well.

21 Let me tell all of you this before you
22 leave. On behalf of the Senate Judiciary
23 Committee, we appreciate you being here, we
24 appreciate your involvement. And you will be
25 able to follow what we do on our Web site.

1 And thank you so much for being here.
2 Anything in writing that you would like to
3 leave with us, feel free to do that as well.

4 Good night.

5 (The hearing concluded at 8:30 p.m.)

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1 CERTIFICATE OF REPORTER

2

3 I, Heather M. Curlin, Professional Court
4 Reporter and Notary Public for the State of South
5 Carolina at Large, do hereby certify:

6

7 That the foregoing hearing was taken before me on
8 the date and at the time and location stated on page
9 1 of this transcript; that the testimony made at the
10 time of the hearing were recorded stenographically
11 by me and were thereafter transcribed; that the
12 foregoing transcript as typed is a true, accurate,
13 and complete record of the testimony at the time of
14 the hearing to the best of my ability.

15 I further certify that I am neither related to
16 nor counsel for any party to the cause pending or
17 interested in the events thereof.

18 Witness my hand, I have hereunto affixed my
19 official seal this 11th day of April, 2011, at
20 Greenville, Greenville County, South Carolina.

21

22

23 Heather M. Curlin
24 Professional Court Reporter
25 Notary Public
State of South Carolina at Large
My Commission expires:
May 21, 2011

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