Meeting of the Election Laws Subcommittee

South Carolina House of Representatives

Judiciary Committee

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Columbia, SC

March 30, 2011

REP. CLEMMONS: Ladies and Gentlemen, I'd like to thank you for being here to join us in

thank you for being here to join us in attending this, the first, redistricting hearing of this decade to be held here in Columbia, South Carolina, here for the midlands. Thank you so much for being here. This is a meeting of the election laws subcommittee of the Judiciary Committee of the South Carolina House of Representatives. meeting has been advertised in newspapers, both directly and by press release to the press association. It's been advertised to all of the major and third parties, state and county parties. We have sent notices of this meeting to all interested civic organizations that we are aware of, and additionally we have sent out a hundred to 150 mailings and emails to folks who have indicated an interest in this process. We have endeavored to take every step possible to let the public here in the midlands know about this meeting. So, as a result, we have you here with us this evening. Thank you so much for being in attendance.

These hearings are only the first step in
a long and involved process that must be
followed to complete a workable redistricting
plan. We hope that we will start tonight and
at the other hearings that we'll be holding
over the next two weeks by listening to
extensive public input and then using that
input to form the basis of how we will
proceed. From that input, this subcommittee
must create and submit to the full House
Judiciary Committee a plan for how to draw the
lines for the South Carolina House of
Representatives, all 124 districts, and the
United States Congress, including the new
seventh district that South Carolina received
in the latest reapportionment. The full
committee must then submit a plan that may or
may not be the same as the subcommittee's
plan. That must be submitted to the full
House for consideration. Any plan that gains
approval of the House of Representatives and
later the Senate must be submitted to the
United States Justice Department pursuant to
the voting rights act for what is called pre
clearance. If it's determined by the Justice

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Department or the courts that the plan does not comply, first with the constitutional mandates of one man, one vote and equal protection, and second, with the statutory requirements of the voting rights act, more work may still need to be done.

Tonight, our goal is to listen to each and every interested party tell us what they would like to see accomplished in the House's redrawing of district lines for both the South Carolina House of Representatives and the United States House of Representatives. are here tonight to listen to your concerns and your recommendations as to what the subcommittee should consider in this process. As the House undertakes the process of redrawing district lines, public input is indispensable. It helps us to shape a House that best represents the people of South Carolina. The House of Representatives is often called the people's House. It's called that in order to continue to earn, in order to continue to earn that distinction as the people's House, we must know how the people want their House to look, how the people wish

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to be represented. That's the sole purpose of these hearings. To hear from those, the public, and take their guidance as we shape the House and Congressional districts for the coming decade. We welcome any input which helps us understand specific issues in your area in which identifies neighborhoods, political subdivisions, or other areas which you believe the subcommittee should take into consideration when drawing the district lines. Resulting from this series of hearings, this subcommittee plans to adopt a set of criteria drawn primarily from what we hear from the These criteria will be the guiding public. principals by which the House will redraw the district lines.

As you all know, the plan that is ultimately produced must, more than anything else, assure the principal of one man, one vote. Meaning that we are required to have as equal a population in each district as possible. But beyond those requirements, the subcommittee is particularly interested in what political subdivisions or smaller communities have in common or do not have in

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common that would suggest that they should be placed into one or multiple districts. While this hearing is being conducted here in Columbia to allow residents of the immediate area an opportunity for input, the subcommittee is happy to hear testimony from anyone interested in any part of the state or the state as a whole.

Because tonight's hearing will become part of the record in this matter, this proceeding is being recorded and will be transcribed. To make sure that we have a clear record, I would ask that each witness come to the microphone, speak slowly and clearly, and state your name and address, and identify the district or districts that you are interested in. If you are appearing tonight on behalf of a group, such as a political party, a public interest group, or other organization, please let us know that information as well. I, and other members of this committee, wish to make comments and ask questions about particular areas, excuse me, we may make comments and ask questions about particular areas, which may not reflect the

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1	intentions or recommendations of the committee
2	or of the House. We will also be glad to
3	answer general questions about the process if
4	we can. However, because this is the first
5	part of a long process of gathering
6	information from around the state, we may not
7	be able to answer specific questions at this
8	time. I anticipate that this meeting will
9	last approximately two hours. And while we
10	want to hear everything that anyone has to
11	offer, we do reserve the right to limit
12	individual testimony to ten minutes if
13	necessary. I would ask that each person, as
14	they offer testimony, be considerate of others
15	who are here to offer their opinions as well.
16	We look forward to hearing from all who are
17	here tonight. Thank you so much for being
18	here and we will begin with our public I
19	suppose I should probably first introduce the
20	members of the subcommittee. I apologize. We
21	have to my far left, Karl Allen,
22	Representative Karl Allen. Next to me is
23	Representative Jenny Horne. To my right is
24	our staff attorney Patrick Dennis. And to his
25	right Representative Bakari Sellers, and

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1	Representative Tom Young to his right. With
2	that introduction, I'd like to first ask Mr.
3	R. G. Strawbridge to come to the podium and
4	introduce himself. Mr. Strawbridge. Again,
5	if you'd please state your full name and your
6	address and any group that you may be
7	affiliated with.
8	MR. STRAWBRIDGE: [Inaudible].
9	REP. CLEMMONS: You are Sir, that's what you get
10	for being the first here tonight. Could you
11	push the button to turn your microphone on,
12	Mr. Strawbridge.
13	MR. R. G. STRAWBRIDGE: My name is Jerry
14	Strawbridge. I live in Saluda County, I'm the
15	chair of the republican party in Saluda County
16	and I'm here to observe what you ladies and
17	gentlemen are doing because I think that it is
18	important for us in Saluda County in that the
19	district that I live in is 39, represented by
20	Marion Frye. And it's somewhat unique that
21	Marion Frye represents all of Saluda County
22	and a portion of Lexington County, but then
23	again on the Senate side, we have three State
24	Senators that the county has chopped up pretty
25	bad. Marion being the only resident

have heard from before and is never at a loss

- for words. Thank you for being here Ms.
- 2 Bedenbaugh.
- 3 MS. BEDENBAUGH: I too am from Saluda County. I
- 4 have --
- 5 REP. CLEMMONS: Could you give us your address, Ms.
- 6 Bedenbaugh.
- 7 MS. BEDENBAUGH: Yes. I live near the lake at 3021
- Prosperity Highway, Leesville.
- 9 REP. CLEMMONS: Thank you.
- 10 MS. BEDENBAUGH: I am the committee woman for the
- 11 Saluda County republican party. I have served
- in many capacities as chairman in the past and
- 13 I've been on the state executive committee for
- many, many years. I'm one of the longest
- 15 serving continual representatives on your
- 16 state executive committee at this time. I've
- been through a couple of these in the past and
- as Jerry said, Saluda County is a small, rural
- 19 county and it's very important to us that we
- 20 have at least one resident representative,
- 21 since we are so divided. Representative,
- 22 Senator Shane Massey serves part of our
- county, Senator Nikki Setzler serves part of
- us, and Senator Ronnie Cromer serves part of
- us. And they all do a fine job, but still,

of the South Carolina Progressive Network

which is a 16 year old statewide coalition,
multi issue, multi racial group that concerns
itself with matters of democracy in South
Carolina. Our concerns as you go into this
process are that we're not doing a good job
practicing democracy. And that if you look at
the participation at elections around the
world, we're not number one, we're not in the
top ten, we didn't even make the top 100.
United States is number 139 below Armenia and
slightly above Nigeria. There are places in
the world people stand in line for days and
get shot at that turn out more voters than we
do. And the peoples participation in your, in
our government, in your people's House it's
critical and it's suffering. In a four-year
cycle half the voting age population isn't
participating. And the numbers are going down
as the people get younger. We had a missing
voter project to find the missing voters in
Fairfield County in '08 and only 131 people
under 21 had voted in the previous election.
It was seven percent of the youth population,
their parents voting around 40 percent of
them. We have a real problem that young

people aren't participating. Now, you can't
answer all those problems with your
redistricting, but you can help not make them
worse. In 2000 the plan resulted in too many
what we call safe districts. I don't know if
you're aware of the fact, but South Carolina
has the fewest number of contested elections
in the general elections of any state in the
nation. Most of your seats in the House are
won in the primary and what that does is it
exacerbates political ideology, it makes it
harder to find compromise, because you can run
and you can win in your safe district by
playing to a very small base of a certain
party's faithful. And it doesn't yield good
results in the end, it doesn't yield the art
of compromise. And so our we would
encourage you to look at the fact that we have
so few contested elections and to figure out
ways that we can have more competitive
districts that would encourage more people to
turn out and vote in November so we would end
up with representatives that are representing
a more diverse interest of the people as
opposed to smaller and smaller constituencies.

percentagewise that's 16.6 percent of the

REP. CLEMMONS: Are you here representing a group

1	or yourself?
2	MS. TRAWICK: I'm not necessarily here representing
3	a group. I am active in the republican party
4	in several different ways. But what I wanted
5	to just briefly talk about, if I could, for
6	just a moment And first of all before I do,
7	thank you for doing this. I know you all tend
8	to always get more criticism than kudos, but
9	thank you for opening things up to the public
10	and showing that sunshine is in fact the best
11	disinfectant in progressing the transparency,
12	so we do appreciate that of you all.
13	REP. CLEMMONS: Thank you.
14	MS. TRAWICK: I wanted just to talk a moment about
15	District 79. I know that District 79 is now
16	one of the largest State House districts in
17	South Carolina. We out in the northeast
18	Richland County have experienced phenomenal
19	growth in the last several years. I've only
20	lived here five years and even in that time
21	we've grown by leaps and bounds. And the
22	thing that I keep hearing when I read about
23	the redistricting is the word natural
24	community. District 79 the way it is drawn
25	right now is not a natural community. So I

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hope that when you go about doing that, about, you know, doing the redistricting and drawing the lines, you will look at that. You have people who live in places like The Summit and Lake Carolina in the same district as people who live in Lugoff which is in Kershaw County 40 minutes away. And while in rural counties a 40 minute drive might not be that long, for those of us who live in more of the suburban area, that's quite a distance. So we would appreciate it if you would look at that. I also was looking at, you know, a potential of ways to redraw our district. looks to me that the people of Blythewood, going back to the concept of natural community, upper northeast Richland County and the people of Blythewood are a natural community. And I know a lot of people that live in that area that are very concerned

leave that with somebody or not.

REP. CLEMMONS: You absolutely can. And I - just

further down.

about the fact that they're in a district with

people all the way down in Dentsville and even

did a little drawing. I don't know if I can

So I pulled up a few maps and I

- 1 to let everybody else know if you have any
- written documentation you want to leave with
- 3 us, we will make that a part of the record.
- 4 MS. TRAWICK: Okay, great. I appreciate that. I
- 5 just ask that you look at things when you go
- 6 to redo that district, because I know it's a
- 7 very diverse district and if you could think
- 8 about maybe keeping Kershaw County more into
- 9 that section, if you would, and then even
- 10 looking at doing upper northeast Richland and
- into Blythewood because we are a natural
- community, we go to church together, our kids
- 13 play on ball teams together. And I know that
- 14 might sound a little colloquial but it is the
- truth. We are a natural community, so if you
- 16 could keep that in mind when you redraw we'd
- 17 appreciate it.
- 18 REP. CLEMMONS: Thank you. That's information we
- 19 need to hear.
- 20 MS. TRAWICK: Thank you.
- 21 REP. CLEMMONS: And if you would just step -- or
- 22 hand the documentation over. If we could ask
- you to print your name and address on that
- documentation to leave with us.
- 25 MS. TRAWICK: Yes, sir. I will.

- 1 REP. CLEMMONS: Thank you very much.
- 2 MS. TRAWICK: Thank you very much.
- 3 REP. CLEMMONS: Well, that's everybody that has
- 4 signed up to speak at the hearing. Is there
- 5 anybody else that would like to speak?
- 6 Representative Whipper just stepped in the
- 7 room. Representative Whipper, good to have
- 8 you with us. Please come forward. Would you
- 9 like to speak, Representative Whipper?
- 10 REP. WHIPPER: [Inaudible].
- 11 REP. CLEMMONS: Well, please take the podium.
- 12 REP: WHIPPER: All right. May it please the court.
- 13 REP. CLEMMONS: It may.
- 14 REP. WHIPPER: Thank you so much for this
- opportunity to be heard and I know that, you
- know, we are fortunate at this time to be
- doing redistricting because of the coming
- 18 together of so many resources and
- 19 possibilities. I think when we did this back
- in 2002/2003 we still were doing a lot of
- stuff with elbow grease. Now, we are in a
- position to, after GIS, GPS, and the other
- kinds of resources that we have, it's a
- different deal. And we've come a long way in
- that regard. What I'm concerned about, of

course, is that you recognize that despite all 1 2. of these improvements in this last decade, it's really just four decades since we had a 3 lot of problems with participation in our 4 5 voting process. And I think back about, just 6 for instance say when schools desegregated 7 some of the graduates at that time in school 8 are probably just 37 years old, 47, 47 years 9 old. And so we still have a young state when 10 you talk about the sophistication of our 11 voting processes and the way we decide our 12 people participate in elections and 13 participate in government. And that's 14 I think the idea of redistricting important. not only is concerned about reapportionment, 15 which is having a certain amount of 16 17 appropriate numbers in a given district no 18 matter how it's set up, but what's also 19 important is how we decide where these lines 20 go and why we decide where these lines go. And I'm a little late because of the vote 21 22 on the floor that's just taking place and 23 hasn't taken place yet as a matter of fact. 24 So I'm still, I'm going to have to miss that 25 But I really wanted to be here because vote.

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it was an awful history that we have come through. And we are just, at the most recent, 47 years out of it, just 47 years out of it. And so we still have people who are expected to participate, who have an opportunity to participate, who can, in fact, really remember what it's like to not be heard, to actually have a vote and have it knocked out. And so now we've come to this point where we have that history and we have that understanding, and we know about that history and we should be real concerned that that doesn't happen again, that people have a vote and the vote doesn't count.

Now, sure, you know, no matter where you draw a line it's always sort of funny. You draw a line and maybe two family members end up on the opposite side of that line, well, sometimes that will happen. But we do have some criteria, and we have some values that we're expected to employ in terms of drawing these lines. Now, I don't -- I'm a little late here Mr. Chairman, I'm sorry, and you may have announced some of those values, some of those criteria, and if you did I'm kind of

familiar with some of them generally. And I
would say to you that it's important that we
do whatever we can to make sure that, for the
most part, if a person has a vote, that vote
will have some effect. Now, you can't be
perfect, I mean, every vote will not always do
what somebody wants it to do, but certainly if
we look at - in drawing these lines - if we
look at these communities of interest, I think
that's the overall touchstone. Because at
some point we're going to get to where we may
have more than two political parties that are
functional and influential. And the reason
we'll get there is because the issues that
confront us as citizens in there most
essential descriptions in character are not
just a two party thing. I mean, I think all
the time about how in Greenville when the
speaker decided to become the ambassador and
the election took place and by golly in the
speaker's district there was a democratic
candidate for his seat. Now, what was it that
concerned these people in the speaker's
district that a democrat thought that there
was some issues around which they could run.

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Well, whatever they were, they were real because that vote was really not that far apart in the end result. That means that there are issues that people are concerned about that will decide how they want to vote. And so if you look at issues then you have to be concerned about who the constituencies are, why they are, where they live, why they live where they live, what got them involved with those issues. And that's all a part of determining sometimes these communities of And it also means that we must be interest. sensitive to how these communities came about. And you can't avoid that, and like I said, I mean, we're just 40 years into this thing. And it wasn't just education, it was housing, it was jobs, it was the location of businesses and industries that often time determined where people lived. And so that means something, and it may mean how people react to what they're confronted by as citizens. So as we go forward, and I would ask that this subcommittee delve into these reasons why people end up where they are and recognize that we need to be concerned about those

they thought it should look like, one of those

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1	ideas had to do with, well, perhaps these
2	people who are on the side of the road selling
3	these sweet-grass baskets, that they might
4	need to be removed. There were sweet-grass
5	baskets that had been there for hundreds of
6	years. And there was a serious reaction to
7	that. And as a result, people recognized the
8	value of that practice, the culture of it,
9	what all went on around it, language, diet,
10	appearance, and now we see these sweet-grass
11	baskets are still there, those vendors are
12	still there on Highway 17. They are a part of
13	the fabric of Mount Pleasant. And that's what
14	can happen when we legislate and be conscious
15	to all of these facets of community life. And
16	I hope that, again, the committee will
17	remember such instances of those kinds of
18	occurrences. How important is it? Look how
19	vibrant our State House is, for instance,
20	because we have talented people like Jenny
21	Horne, Lloyd Funderburk, we have the young
22	Bakari Sellers, young Tom Young. We've got
23	it makes a difference being able to have
24	people with all kinds of backgrounds who are
25	committed to this state, to come to the

general assembly and be able to present their 1 2. positions in an effective way, to establish relationships, come to understanding of what 3 government is and what it should be and how it 4 should function, to share ideas on how to 5 solve problems, it makes it so much more 6 7 vibrant, it makes it so much more rewarding, 8 the possibilities are greater and it makes us 9 feel like we are at home. I'm one of the 10 first people to acknowledge that despite the 11 fact that I might be a lot different in my 12 viewpoint than say the young Mr. Ryan from 13 Horry County. 14 REP. CLEMMONS: Georgetown. REP. WHIPPER: Georgetown, from Georgetown. But he 15 16 is a part of the State House family, he is somebody that has spent time with me already 17 in the trenches, sweating it out, beating on 18 19 one another, and it's just like, almost like 20 being on a wrestling team or something. 21 you establish relationships, I mean, if I saw 22 George Ryan someplace I still would say hello, 23 I'd be glad to see him. So this is a valuable 24 aspect, that we have a diversion viewpoints 25 and backgrounds and the people are able to

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weigh in on the topics of the day. And so I'm saying that generally because I don't live in Richland County, but I know that, I think the rules will allow me to talk about the different places that are affected by what we do here today and I'll probably see you again on the 14th of April. But I wanted to say these -- I wanted to make these points, because these communities of interest are so important and we'll find that the lines will often make more sense when we can recognize these particular communities and provide for ability for people to be heard.

Now, you know, I know that we have to be concerned about the idea of having -- and maybe Mr. Chair, you can help me with the word, but we don't want to do what is essentially packing in any particular district, or a set district to the extent that it represents only one point of view, or it has only one racial component. And yet, we recognize that, you know, what should be also touched on is that we want people to be heard, want them to have an opportunity to have a vote count, opportunity to be represented.

1	And as these populations begin to shift, you
2	know, we've got now growth in our Hispanic
3	community as well as our Asian community,
4	we've got more people from the continents of
5	India, I mean, it's so we are seeing, at
6	least in Charleston County. So we've seen
7	substantial change in what a neighborhood
8	looks like and this makes a difference. And
9	so I'm saying to you that we have the ability
10	now to look at this and to take all of these
11	factors into consideration and we ought too.
12	Now, you're faced with some of the these
13	decisions in light of reapportionment, you're
14	also faced with concerns about well,
15	reapportionment means that we've got a certain
16	number of citizens of every district. I'm
17	saying to this committee that we shouldn't be
18	so rigid about that particular requirement.
19	We've got some very interesting things that
20	have occurred in this state with the way
21	populations have grown, and I hope that we
22	would not be so rigid in that regard that we
23	can't, we can only draw districts that look
24	like boxes or look like circles, or look like
25	triangles. And I ask that you take that into

the rules of the House. Is there any further

party from wherever they might live at any or

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all of those hearings. We are asking for and will certainly accept any documentation, letters, proposed maps drawn on the back of napkins or drawn by an official GPS cartographer. We will accept any information that you share, that you wish to share with us that we can use as a basis from which to begin our deliberations on drawing, on redistricting the House and Congressional Districts in South Carolina. Thank you for making that point.

I would direct folks to the website of the House of Representatives, www.schouse.gov. On the website you will find our physical address to which you can mail documentation, you can also find a direct email link to voice your comments concerning redistricting by And we encourage everybody, as you've email. heard tonight, from Representative Whipper and from my opening remarks. We want to be open, we want to receive all of the information that the public has to share with us. So please take advantage of this opportunity early on in this process and let your voice be heard. Thank you. Are there any other comments by Hearing none. This meeting of the members?

subcommittee of the, I want to say redistricting subcommittee but that's not what we are, we are the election subcommittee, stands adjourned.

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