



## REDISTRICTING PROCESS SOUTH CAROLINA 2021: SUMMARY

August 7, 2021

The redistricting calendar for the two houses of the General Assembly responds to the constraints of two dates. The U. S. Census Bureau releases data on August 12 and map drawing cannot begin until those data are converted to useable format, which is estimated to require about 5 days. At the other end of the schedule, filing for partisan primaries for 2022 will begin March 16, 2022. The General Assembly is expected to return at an undetermined date in October to vote on maps proposed by their respective committees, to leave time to reconcile Senate and House versions of Congressional maps and get through possible override votes and/or court litigation.

### SENATE

([HTTPS://REDISTRICTING.SCSENATE.GOV/MEETINGINFO.HTML](https://redistricting.scsenate.gov/meetinginfo.html))

The Senate is addressing SC Senate and US Congressional Districts in South Carolina.

#### STATEWIDE PUBLIC HEARINGS ON CRITERIA AND COMMUNITIES OF INTEREST

The Senate is holding statewide public hearings July 27-August 12 before receiving census data on August 12 and beginning map work. They have posted information on-line about the process including how to sign up for:

- Oral testimony in person
- Oral testimony virtually
- Written testimony

Signup for oral testimony can be done on-line (link provided) or at the hearing itself. A July 20 press release indicates that “the mission of these public hearings is to receive testimony and gather information about how people see the areas in which they live and what factors need to be considered when the Senate Districts and Congressional Districts are redrawn.” The Senate is therefore taking testimony on:

- the criteria used in defining districts and
- local communities of interest throughout the state, which might be.
  - Counties, municipalities, and voting precincts
  - Areas sharing economic interests
  - Socially and culturally distinctive areas
  - Areas of common historic influence
  - Governmental services
  - Commonality of communications and transportation
  - Geographic location and features

Senate testimony should be directed toward the SC Senate and SC Congressional districts, not SC House or local districts. To the extent possible, bring personal stories to bear in testimony to illustrate concerns about local communities of interest.

#### MAP DRAWING

The U. S. Census Bureau is releasing 2020 census data on August 12, 2021. At that time, the company producing Maptitude (used by the General Assembly, and by the League of Women Voters) will marry census data to census geography and produce a small number of summary categories for ethnic and racial minorities. They will convert this to a Maptitude file format. It is reasonable to assume that all parties will begin working on maps as soon as these data are converted and sent out.

#### DECIDING CRITERIA

The Senate Judiciary 2021 Redistricting Subcommittee will meet again to officially adopt criteria. Date TBD.

#### MAPS SUBMITTED BY THE PUBLIC

The Senate has indicated that they will announce plans for receiving maps from the public and interested organizations. Date TBD but probably before October or in very early October.

#### HEARINGS ON PROPOSED MAPS

The Senate has indicated that they will hold hearings (although probably not statewide as in the case of the earlier meetings) to receive comment on their proposed maps before they are sent to the whole Senate for a vote. Date TBD but probably before late October. At this point those participating should expect to comment on the specifics of the maps, especially as they affect the SC Senate and US Congressional districts in which they are represented. Written comments will surely be accepted as well.

When proposed maps are available, concerns that may arise include but are not limited to:

- “packing” minority districts to dilute minority influence on adjacent districts
- “cracking” communities of interest including minority neighborhoods, cities, universities and colleges, counties
- Crossing county or other major jurisdictional lines or otherwise violating communities of interest to pick up votes of a desired group for incumbent or partisan protection
- Legislators representing portions of so many counties that none are truly represented

#### VOTE BY FULL SENATE

The proposed SC Senate and US Congressional Maps will be sent to the full Senate for a vote, probably in October.

#### CONFERENCE COMMITTEE

Senate and House maps for US Congressional Districts may need to be reconciled with one another before a final version is adopted.

#### SUBMISSION TO GOVERNOR

The maps will be submitted to the Governor for approval. Governors have on occasion declined to approve maps.

## HOUSE

([HTTPS://REDISTRICTING.SCHOUSE.GOV](https://redistricting.schouse.gov))

The House is addressing SC House and US Congressional Districts in South Carolina.

### MAP DRAWING

The U. S. Census Bureau is releasing 2020 census data on August 12, 2021. At that time, the company producing Maptitude (used by the General Assembly, and by the League of Women Voters) will marry census data to census geography and produce a small number of summary categories for ethnic and racial minorities. They will convert this to a Maptitude file format. It is reasonable to assume that all parties will begin working on maps as soon as these data are converted and sent out.

### CRITERIA

The House committee adopted their criteria (almost the same as their 2011) at their first meeting without public input or questions or debate from committee members. These criteria are posted at their website under their “Guidelines” at <https://redistricting.schouse.gov>. The criteria as adopted by the House open the door to gerrymandering for both partisan and incumbent protection. The House Ad Hoc Committee has not indicated an interest in public comment on their criteria, but individuals can provide comment to their own House members if they wish.

### STATEWIDE PUBLIC HEARINGS

The House is holding statewide public hearings September 8 – October 4. Only the last of these, in Columbia, will be accessible virtually. There will be no live streaming of hearings, although we are told that video will be available after the hearings.

House hearings are beginning weeks after receipt of US Census data, so it is possible that specific map proposals will be made by the House committee for these meetings. The focus might be communities of interest, with or without consideration of proposed maps,

House hearings will not address criteria since those are already adopted without public input or discussion. The hearings focus might be local communities of interest throughout the state, including

- Counties, municipalities, and voting precincts
- Areas sharing economic interests
- Socially and culturally distinctive areas
- Areas of common historic influence
- Governmental services
- Commonality of communications and transportation
- Geographic location and features

The House accepts political beliefs or voting behavior as defining characteristics for communities of interest; the LWVSC does not.

To the extent possible, bring personal stories to bear in testimony to illustrate concerns about local communities of interest.

#### MAPS SUBMITTED BY THE PUBLIC

The House has not indicated when or how they might receive map proposals from the public.

#### HEARINGS ON SPECIFIC MAPS PROPOSED BY THE HOUSE COMMITTEE

Again, we don't know whether the tentative list of hearings now posted at the House website will focus on specific map proposals or not.

When the maps are available, concerns that may arise include but are not limited to:

- "packing" minority districts to dilute minority influence on adjacent districts
- "cracking" communities of interest including minority neighborhoods, cities, universities and colleges, counties
- Crossing county or other major jurisdictional lines or otherwise violating communities of interest to pick up votes of a desired group for incumbent or partisan protection
- Legislators representing portions of so many counties that none are truly represented

#### VOTE BY FULL HOUSE

The proposed SC House and US Congressional Maps will be sent to the full Senate for a vote, probably in October.

#### CONFERENCE COMMITTEE

Senate and House maps for US Congressional Districts may need to be reconciled with one another before a final version is adopted.

#### SUBMISSION TO GOVERNOR

The maps will be submitted to the Governor for approval. Governors have on occasion declined to approve maps.

## LOCAL JURISDICTIONS

Cities, counties, and school districts will need to redraw their district boundaries. The General Assembly does not control this process.

Since no federal offices are involved, local jurisdictions can develop their own schedules to reassess their boundaries. County councils and some school districts are bound by the same March 16 primary filing date as legislative offices, so if change is needed to adjust to significant shifts in population, they are also under pressure to redistrict quickly. If they don't, the risk they take is that if their demographics have changed and their district boundaries haven't, they may be taken to court for failure to adhere to the one-person-one-vote principle of the U. S Constitution.

These redistricting processes are extremely important but each jurisdiction will set its own schedule and procedures. Many of the concerns associated with Senate and House redistricting apply here. In any public hearings, as in the statewide examples, bring personal stories to bear in testimony to illustrate concerns about criteria defining district boundaries and about local communities of interest.

There are additional concerns associated with these local government processes. Minority voters have established through many hard-fought legal battles their right to single member districts in order to meet the one-person-one-vote standard of the U. S. Constitution. It is possible that attacks will be made on this during the redistricting process, in ways that would prevent minorities from electing candidates of their choice.