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TESTIMONY ON HOUSE PLAN 2 SENATE AMENDMENTS 1 AND 2 BEFORE THE REDISTRICTING
SUBCOMMITTEE OF THE SC SENATE JUDICIARY COMMITTEE

January 13, 2022

Two very different proposals are under consideration by this Subcommittee. House Plan 2 Senate Amendment 1 is a revision of the original Senate staff proposal. It corrects some issues in the earlier Senate plan while continuing to present serious problems. Amendment 2 is entirely new, departing from unfortunate aspects of the legacy Congressional map that we have now, and presents features well worth consideration by this Subcommittee.

Among other changes, in Senate Amendment 1 we see that CD 1 is pushed to the north in Berkeley County and CD 6 is extended south to include the entire Charleston Peninsula. With these changes, Mt. Pleasant is paired with Beaufort in CD 1 while the Charleston Peninsula is associated with Columbia in the Midlands. This creates absurd divisions in the major economic and social community of interest represented by the City of Charleston and its surrounding satellite cities and suburbs. In just one example of this, Charleston's port facilities are divided between the two districts with the Wando Terminal in CD 1 and North Charleston port facilities in CD 6.

The numbers in the new map remain much like those in the first Senate proposal. The Black Voting Age Population (BVAP) in CD 1 remains at about 17%. This contrasts with the 2020 census Black population of Charleston County of 26% and the Berkeley County Black population of 25%. Thus, the BVAP in CD 1 remains much lower than would be expected given overall population figures in the coastal counties. This discrepancy, found in both Senate plans and in the plan adopted by the House yesterday, points toward a selective process to reduce and dilute the Black voting influence in CD 1. In addition, CD 1 as drawn in Amendment 1 receives poor ratings for proportionality, compactness, efficiency, and other standard redistricting measures.

The rest of the state is not immune from problems. CD 2 still loops into Richland County sending an arm into CD 6, cracking major Black communities in Northwest Richland County. This dilutes minority votes and makes no sense in terms of economic and social relationships.

We recognize that some of this is a legacy from earlier maps. We reject the argument that this means that it is acceptable or even legally "safe" today. Through the redistricting cycles until the *Shelby v. Holder* decision, the Department of Justice (DoJ) was only empowered to prevent maps from becoming worse than they already were. Plans that limited and diluted minority voter influence could not be stopped if they did not do so more than the existing map. The League of Women Voters believes that it is now time to step away from decades of cumulative distortion of South Carolina's legitimate regional communities of interest.

Amendment 2 shows that by doing so it is possible to keep both Charleston and Beaufort counties whole in CD 1 while meeting equal population requirements. The resulting district is highly competitive, within 1%, as the diverse population of Charleston and its satellite towns and suburbs suggests it would be. Also, in Amendment 2 Richland County minority communities are not cracked by an extension of CD 2 as they are in Amendment 1. Amendment 2 even adds another competitive district in its reshaping of CD 5, with an estimated partisan gap of 6%. All of this is accomplished in a very minority-friendly map that includes one VRA opportunity district

(CD 6) and avoids diluting minority influence in other districts. It is generally consistent with real regional relationships in our state. The League would be happy to see this map enacted because it empowers voters.

We ask you to consider Amendment 2, the LWVSC proposal submitted to you, and other options that are less damaging to voter rights and to reasonable political dialogue than Amendment 1. Please reject the temptation to prevent voters from choosing their representative in November.

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APPENDIX

Our estimates of partisanship are based on general elections in South Carolina from 2016-2020, as calculated for Dave's Redistricting App (DRA). We regard this as a more reliable measure than the simple Biden-Trump proportions sometimes used.

PARTISAN LEAN

| Districts | Current | | | LWVSC | | | Senate Staff 1 | | |
|-----------|---------|-------|-----|-------|-------|-----|----------------|-------|-----|
| | Rep | Dem | Gap | Rep | Dem | Gap | Rep | Dem | Gap |
| 1 | 54.46 | 43.19 | 11 | 49.26 | 48.31 | 1 | 55.92 | 41.82 | 14 |
| 2 | 56.50 | 41.29 | 15 | 60.29 | 37.67 | 23 | 56.36 | 41.43 | 15 |
| 3 | 67.98 | 30.19 | 38 | 68.19 | 29.96 | 38 | 67.92 | 30.25 | 38 |
| 4 | 60.81 | 36.96 | 24 | 59.97 | 37.79 | 22 | 59.92 | 37.84 | 22 |
| 5 | 57.51 | 40.58 | 17 | 58.85 | 39.3 | 20 | 58.30 | 39.79 | 19 |
| 6 | 31.45 | 67.08 | 36 | 35.43 | 62.95 | 28 | 32.60 | 66.74 | 34 |
| 7 | 58.54 | 40.08 | 18 | 59.76 | 39.74 | 20 | 58.56 | 40.06 | 19 |

| Districts | House Plan 2 Senate Amendment 1 | | | House Plan 2 Senate Amendment 2 | | |
|-----------|---------------------------------|-------|-----|---------------------------------|-------|-----|
| | Rep | Dem | Gap | Rep | Dem | Gap |
| 1 | 55.54 | 42.24 | 13 | 49.28 | 48.56 | 1 |
| 2 | 56.06 | 41.74 | 14 | 63.04 | 34.89 | 28 |
| 3 | 67.92 | 30.25 | 38 | 65.16 | 32.76 | 31 |
| 4 | 59.92 | 37.84 | 22 | 65.49 | 32.37 | 33 |
| 5 | 58.30 | 39.79 | 19 | 52.30 | 46.04 | 6 |
| 6 | 33.57 | 64.71 | 31 | 34.72 | 63.72 | 29 |
| 7 | 58.56 | 40.06 | 19 | 61.23 | 36.91 | 24 |

DRA CRITERIA RATINGS

| | Competitiveness | Proportionality | Splitting | Compactness | Minority |
|----------------|-----------------|-----------------|-----------|-------------|----------|
| Current Map | 9 | 0 | 30 | 38 | 50 |
| LWVSC | 20 | 25 | 78 | 42 | 50 |
| Senate Staff 1 | 6 | 0 | 30 | 38 | 50 |

| | | | | | |
|------------------------|----|----|----|----|----|
| House Staff | 14 | 8 | 47 | 40 | 50 |
| House Alt 1 | 8 | 0 | 31 | 36 | 50 |
| HP 2 Senate Amend 1 | 7 | 0 | 32 | 37 | 50 |
| HP 2 Senate Amend 2 | 32 | 40 | 54 | 33 | 74 |

DRA PARTISAN AND COMPETITIVE DISTRICT ASSESSMENT

| | Rep Lean | Dem Lean | Number in $\pm 5\%$ Competitive Range |
|------------------------|----------|----------|---|
| Current Map | 6 | 1 | 0 |
| LWVSC | 5 | 1 | 1 |
| Senate Staff | 6 | 1 | 0 |
| House Staff | 5 | 1 | 1 |
| House Alt 1 | 6 | 1 | 0 |
| HP 2 Senate Amend 1 | 6 | 1 | 0 |
| HP 2 Senate Amend 2 | 4 | 1 | 2 |

COUNTY AND PRECINCT SPLITS

| | County Splits (6 splits needed for almost exactly equal population) | Precinct Splits (6 splits needed for almost exactly equal populations) | % Population affected by County Splits |
|--------------------|--|--|--|
| Current Map | 12 counties are split a total of 12 times: Beaufort (1), Berkeley (1), Charleston (1), Colleton (1), Dorchester (1), Florence (1), Greenville (1), Newberry (1), Orangeburg (1), Richland (1), Spartanburg (1), and Sumter (1). | 65 | 46.49% |
| LWVSC Map | 6 counties are split a total of 5 times: Barnwell (1), Berkeley (1), Edgefield (1), Greenville (1), Marlboro (1), and Spartanburg (1). | 23 | 22.59% |
| Senate Proposal | 13 counties are split a total of 13 times: Beaufort (1), Berkeley (1), Calhoun (1), Charleston (1), Colleton (1), Dorchester (1), Florence (1), Greenville (1), Jasper (1), Orangeburg (1), Richland (1), Spartanburg (1), and Sumter (1). | 10 | 52.06% |
| House Staff | 8 counties are split a total of 8 times: Berkeley (1), Charleston (1), Colleton (1), Dorchester (1), Florence (1), Greenville (1), Richland (1), and Spartanburg (1) | 26 | 43.86% |

| | | | |
|----------------------|---|----|--------|
| House Alt 1 | 10 counties are split a total of 10 times: Beaufort (1), Berkeley (1), Colleton (1), Dorchester (1), Florence (1), Greenville (1), Jasper (1), Richland (1), Spartanburg (1), and Sumter (1). No counties have more people than a district. Altogether, these splits affect 42.17% of people in the state. To achieve almost exactly equal district populations, six precincts may also have to be split, and five are. | 7 | 46.49% |
| Harpootlian by Ruoff | In this map, six counties are split a total of six times: Barnwell (1), Berkeley (1), Edgefield (1), Greenville (1), Marlboro (1), and Spartanburg (1). | 12 | 22.59% |
| HP 2 Senate Amend 1 | 10 counties are split a total of 10 times: Charleston (1), Colleton (1), Dorchester (1), Florence (1), Greenville (1), Jasper (1), Orangeburg (1), Richland (1), Spartanburg (1), and Sumter (1). | 13 | 43.64% |
| HP 2 Senate Amend 2 | In this map, six counties are split a total of six times: Berkeley (1), Georgetown (1), Greenville (1), Laurens (1), Richland (1), and York (1). | 19 | 30.96% |

MINORITY POPULATION, DISTRICTS 1 AND 6

There are several variants used in measuring Black Voting Age Population (BVAP). In South Carolina the variation between methods usually yields differences that are less than 1%.

| | District 1 % | | District 6 % | |
|---------------------|--------------|----------------|--------------|----------------|
| | 18%_AP_BVAP | Total Minority | 18%_AP_BVAP | Total Minority |
| Current | 17.27 | 29.01 | 52.45 | 60.42 |
| LWVSC | 23.33 | 34.60 | 48.80 | 56.54 |
| Senate Plan | 16.70 | 28.52 | 48.42 | 56.78 |
| House Plan | 21.02 | 31.61 | 51.83 | 60.12 |
| House Alt 1 | 16.35 | 27.84 | 48.54 | 57.18 |
| HP 2 Senate Amend 1 | 17.39 | 28.86 | 46.89 | 55.45 |
| HP 2 Senate Amend 2 | 21.23 | 32.97 | 49.74 | 57.38 |

COMMON GERRYMANDER MEASURES

RANK-VOTES DECLINATION (PACKING AND CRACKING) AND EFFICIENCY GAP (RELATIVE TWO-PARTY DIFFERENCE IN WASTED VOTES)

| | Declination | Efficiency Gap |
|----------------|-------------|----------------|
| Current Map | 48.06° | 20.28% |
| LWVSC Proposal | 25.48° | 15.38% |

| | | |
|-----------------------|--------|--------|
| Senate Staff Proposal | 48.29° | 20.88% |
| House Staff Proposal | 41.27° | 18.80% |
| House Alt 1 | 45.87° | 20.61% |
| HP 2 Senate Amend 1 | 46.09° | 20.67% |
| HP 2 Senate Amend 2 | 17.33° | 12.41% |