



**Testimony of Brenda Murphy
President
South Carolina State Conference of the NAACP**

**Before the South Carolina Senate
Senate Judiciary Redistricting Subcommittee**

Testimony on Proposed Congressional Redistricting Plans

November 12, 2021

Good morning, Chair Rankin and members of the Subcommittee. My name is Brenda Murphy, and, as you may remember, I am the President of the South Carolina State Conference of the National Association for the Advancement of Colored People, or “South Carolina NAACP.” We are a state conference of 77 branches and over 13,000 NAACP members throughout South Carolina.

Thank you for the opportunity to speak with this Subcommittee today. As I explained the last time I appeared before this Subcommittee, I am speaking on behalf of a redistricting coalition I lead, which includes the South Carolina NAACP, the NAACP Legal Defense and Educational Fund, Inc. (or “LDF”), American Civil Liberties Union (or “ACLU”), and ACLU of South Carolina. I will briefly introduce our coalition’s two proposed Congressional redistricting plans. Leah Aden of LDF and Somil Trivedi of the ACLU will then share additional information about them. We look forward to seeing the proposed Congressional plan that this Subcommittee is developing.

As I emphasized the last time I spoke before you, any maps this Subcommittee creates and considers must comply with the key constitutional command that districts have balanced populations and the Voting Rights Act’s assurances of non-dilution of minority voting strength. These principles, along with others outlined in our submission letter, guided the development of our Congressional plans. And they should guide this Subcommittee’s actions as well.

Having equal district population ensures equal representation for *all people* and equal electoral power for *all voters*. And, as we all have recognized, there have been significant population changes in South Carolina over the past decade, which must be addressed. Notably, Congressional District 6 now has far too *few* people, while CD 1 has far too *many* people. Any map this Subcommittee adopts must correct for these apportionment issues, as our maps do.

The Subcommittee also has an obligation under Section 2 to ensure that, under the totality of circumstances, Black South Carolinians have an equal opportunity to participate in the electoral process and to elect representatives of our choice. In short, you must draw maps that do not minimize Black voting power throughout this State.

In some cases, that will require you to draw single-member districts in which Black voters are a majority. In other areas, this may compel you to draw districts in which Black voters form a plurality of voters, or otherwise can

influence the outcome of elections. In any redistricting, this Subcommittee must not “pack” Black voters into districts with unnecessarily high Black populations or “crack” us into districts with populations that are too low to give Black voters a meaningful voice in elections. And any redistricting must be done with an awareness of relevant voting patterns, our history and present realities in this State, and other circumstances.

It is relevant that, according to the 2020 Census, 27% of South Carolina’s people are Black. And among South Carolinians who are old enough to vote, 29% are Black. Yet only one of seven members of South Carolina’s Congressional delegation—or about 14%—is Black.

But our analysis considered more than a simple review of the population numbers in each district; we also considered, among other information:

- recent statewide and county-level voting patterns, including racially polarized voting patterns;
- whether past and newly proposed districts will be effective for Black voters;
- communities of interest, such as shared histories and membership in civic organizations; and
- the need for representatives to be responsive to Black communities’ economic plight, need for safe and affordable housing and police accountability, and much more.

The two Congressional plans our coalition has submitted address Constitutional and Section 2 obligations and are informed by South Carolina’s voting patterns, history and ongoing realities, and other relevant information.

Based on all these considerations, our proposed plans correct for malapportionment between CD 1 and CD 6. And they maintain CD 6 as an electoral opportunity district in which a majority of voting-age residents are Black. This district—the only Congressional district in which Black South Carolinians have consistently enjoyed an equal opportunity to elect candidates of choice—was hard won. It has long served as a crucial voice for Black voters in our State. And it must continue to do so.

However, our plans *do not* unnecessarily raise CD 6's Black voting-age population beyond what our analysis showed to be appropriate. Therefore, our illustrative plans demonstrate that this Subcommittee does not need to—and, indeed, should not—take any action with respect to CD 6 that diminishes the electoral opportunities of Black voters in other districts.

We view these maps as the beginning, not the end, of this process. These are not the only possible Congressional plans that could satisfy the criteria I have discussed today. But we believe they deserve this Subcommittee's honest and open consideration. Because the Congressional map will determine South Carolinians' political power at the federal level for the next ten years, I encourage you to approach this process with the good faith, integrity, and humility its profound importance deserves.

I appreciate the opportunity to provide these comments remotely during the Subcommittee's hearing today and hope there will be additional opportunities for public input on all redistricting plans this Subcommittee may propose. In the meantime, I look forward to working together with members of this Subcommittee for the people of South Carolina. Thank you. I will now turn to Leah Aden and Somil Trivedi to continue the testimony.