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COUNTY OF ORANGEBURG

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Orangeburg County



2005

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January 18, 2012

Via Federal Express (Overnight Delivery)

Chief, Voting Section
Civil Rights Division
Room 7254 – NWB
Department of Justice
1800 G St., N.W.
Washington, DC 20006

Re: **Submission Under Section 5 of the Voting Rights Act**
Redistricting Plan of Orangeburg County, South Carolina

Dear Chief, Voting Section:

The purpose of this letter submission is to obtain pre-clearance pursuant to Section 5 of the Voting Rights Act regarding the redistricting plan of Orangeburg County, South Carolina.

I. SUMMARY

Orangeburg County is a political subdivision of the State of South Carolina. The governing body of Orangeburg County is the Orangeburg County Council. There are seven council districts, and the voters residing within each district elect one member to Orangeburg County Council.

The United States Department of Justice most recently precleared the seven districts by letter dated March 14, 2002. The district boundaries were based on the Federal Decennial Census of 2000.

The Federal Decennial Census of 2010 is complete. The figures from the 2010 Census differ from those in the 2000 Census. As a result, the County adjusted the district boundaries to meet the standard of one-person one-vote. The redistricting plan is set forth in **Exhibit 51.27.a** and will be referred to in this letter as the 2011 Redistricting Plan.

II. REQUIRED CONTENTS

In accordance with 28 C.F.R Part 51 Subpart C (“CFR”), Orangeburg County, South Carolina submits the following which are numbered to parallel the CFR subsections:

51.27

(a) Ordinance 2011-11-07-20 that embodies the 2011 Redistricting Plan. The 2011 Redistricting Ordinance was obtained from the Clerk to County Council, the official records custodian for County Council (herein “Clerk”), and is attached as **Exhibit 51.27.a**. **Exhibit 51.27.a** includes Exhibits I, II and

III, and those were obtained from the Orangeburg County Director of GIS (herein "Director") whose duty it was to provide Council with the statistical and geographical information used throughout the redistricting process.

(b) Ordinance 2002-1-14-02 that embodies the district boundaries that the 2011 Redistricting Ordinance would change ("2002 Redistricting Ordinance"). A copy of the 2002 Redistricting Ordinance was obtained from the Clerk which, along with a copy of the USDOJ Civil Rights Division letter dated March 14, 2002, is attached as cumulative **Exhibit 51.27.b**.

(c) The boundary differences between the districts under the 2002 Redistricting Ordinance and the 2011 Redistricting Plan are shown on several maps (herein "Maps"). The Maps were obtained from the Director and are attached to **Exhibit 51.27.a.** at Exhibit III. In addition, the digital shapefile of the map data is enclosed.

(d) The person making this submission is:
Johnnie Wright, Sr.
Chairman Orangeburg County Council
Orangeburg County, South Carolina
P.O. Drawer 9000
Orangeburg, South Carolina 29116-9000
(803) 747-5475

(e) The submitting authority is Orangeburg County Council, the governing body of the jurisdiction responsible for the change, Orangeburg County, a political subdivision of the State of South Carolina.

(f) Not applicable: the submission is from a county.

(g) Council is the body responsible for making the voting change, and the mode of decision was Council's passage of an ordinance, subject to USDOJ pre-clearance.

(h) The authority under which the County makes the change is (1) Section 4-9-90 of the South Carolina Code of Laws (herein "State Law") and (2) the United States Voting Rights Act of 1965, as amended (herein "Federal Law"). State Law requires passage of an ordinance and the ordinance procedure requires three readings and a hearing at meetings of Council; Federal Law requires an administrative or judicial clearance of a voting change.

(i) Council adopted the 2011 Redistricting Ordinance on November 7, 2011. See **Exhibit 51.27.a**.

(j) The change is to take effect upon USDOJ preclearance. (One of the first steps in the council election process is officially declaring as a candidate for the office. That is scheduled for mid-March 2012. If pre-cleared, the 2011 Redistricting Plan will apply.)

(k) The change has not yet been enforced or administered.

(l) Not applicable: the change will affect the entire jurisdiction.

(m) The reason for the change is the that there are population differences between the 2010 Census and the 2000 Census.

(n) The anticipated effect of the redistricting on members of a racial group is as follows: preservation of four (4) predominantly Black, single-member districts.¹

(o) There is no past or pending litigation concerning the change or related voting practices.

(p) The prior practice was pre-cleared on March 14, 2002. See Cumulative **Exhibit 51.27.b**.

(q) This submission deals with redistricting and, as a result, includes the items listed under 51.28(a)(1) demographic information regarding voting age population (referred to as "VAP") which is attached as **Exhibit 51.27.a** at Exhibit II, and 51.28(b)(1) maps regarding changes in constituency that elects any office which are attached to **Exhibit 51.27.a** at Exhibit III and enclosed in digital shapefile. This submission does not include an annexation and, as a result, the items listed in 51.28(c)(3) are not included.

(r) The Attorney General has not notified the submitting authority of any additional items required for this submission. In accordance with 51.27(r), the submitting authority supplements the Required Contents with those items listed in the next section.

III.SUPPLEMENTAL CONTENTS

51.28

(a) Demographic information.

(1) The total and voting age population of the affected area before and after the change, by race, is shown on **Exhibit 51.27.a** at Exhibit II.

(2) Not applicable.

(3) Estimates of population by race made in connection with the adoption of the voting change were obtained from the Director and are attached to **Exhibit 51.27.a** at Exhibit II

(4) Digital shapefile enclosed.

(5) Digital shapefile enclosed.

(b) Maps.

(1) The maps depicting the prior and new boundaries of the voting units are attached as part of cumulative **Exhibit 51.27.a** at Exhibit III and enclosed in digital shapefile.

(2) Not applicable.

(3) The location of racial minority groups is contained in **Exhibit 51.27.a** at Exhibit II.

(4) Natural or geographical features of which Council was aware during the selection of boundaries for the prior and new units are as depicted on the maps attached as cumulative **Exhibit 51.27.a** at Exhibit III.

(5) Not applicable.

(6) Not applicable.

(c) Annexations. Not applicable.

(d) Election returns. The change does not affect the electoral influence of a racial minority group: instead, the change preserves the electoral influence of Black voters by continuing to have four (4) predominantly Black districts. As a result, this section is not applicable.

¹ Section 5 requires preclearance by the County of changes affecting African Americans. As a result, this submission deals with racial minority and does not detail (nor has the County sought to determine) what effect the redistricting may have on language minority groups.

(e) Minority language usage. Not applicable.

(f) Publicity and participation.²

(1) Copies of newspaper articles discussing the proposed change are attached as cumulative **Exhibit 51.28.f.1** and were obtained from the Clerk.

(2) Copies of public notices that describe the proposed change and invite public comment or participation in hearings and, where not self-evident, statements regarding where such notices appeared (e.g., newspaper, radio, television, posted in public buildings, sent to individuals or groups) are attached as cumulative **Exhibit 51.28.f.2** and were obtained from the Clerk. In addition, the information is posted on the County's website.³

(3) The Minutes of a public hearing concerning the proposed change is attached as **Exhibit 51.28.f.3** and was obtained from the Clerk.

(4) See **Exhibits 51.28.f.1 – 51.28.f.3** regarding statements, speeches, and other public communications concerning the proposed change.

(5) See **Exhibits 51.28.f.1 – 51.28.f.3** regarding comments from the general public.

(6) Not applicable: there are no legislative journals from which to excerpt local legislative purpose.

(g) Availability of the submission.

(1) Upon submission of this matter to the DOJ, the County shall post public notices announcing the submission and informing the public of the location of a duplicate copy of the submission as available for public inspection and inviting comments for the consideration of the Attorney General. The postings shall appear on the bulletin board in the reception area on the first floor of the County Administrative Centre and on the County website.⁴

(2) Not applicable.

(h) Minority group contacts. The names, addresses, telephone numbers and organization affiliation (if any) of racial minority group members residing in the jurisdiction who can be expected to be familiar with the proposed change or who have been active in the political process is attached as **Exhibit 51.28.h**.

Please contact me if there are any other items or information necessary to pre-clear the redistricting plan or the procedure authorizing same.

Sincerely,

Johnnie Wright, Sr.

Enclosures: Exhibits and digital shapefile

² The following is a chronology of the meetings, readings and public hearing Council held regarding the 2011 Redistricting Plan, and the public notices for those events are included in cumulative **Exhibit 51.28.f.2** which notices were obtained from the Clerk :

Public work session 08/15/2011

Public work session 09/19/2011

First reading: 10/03/2011

Public work session 10/14/2011

Public hearing: 10/17/2011

Second reading: 10/17/2011

Third reading: 11/07/2011

³ <http://orangeburgcounty.org/>

⁴ <http://orangeburgcounty.org/>