

KEY POINTS

EXPANDING DEMOCRACY Through District Voting



EXPANDING DEMOCRACY THROUGH DISTRICT VOTING

The Burton-Dale-Beaufort Branch of the NAACP (Burton-Dale-Beaufort NAACP) and the NAACP Legal Defense and Educational Fund (LDF) urge the Beaufort City Council to vote to ensure that everyone in Beaufort has a voice in the democratic process.

The Burton-Dale-Beaufort NAACP and LDF seek greater inclusion, fairness, and accountability in Beaufort by replacing at-large voting with a district-based method of election for the Beaufort City Council. Under a district-based method of election, Black residents of Beaufort would comprise the majority of the voting-age population in one of those districts. Each district would elect a City Council member and all voters would continue to elect the mayor at-large.

District-based voting is about fundamental fairness and accountability. The Burton-Dale-Beaufort NAACP and LDF want all communities in Beaufort to have an equal opportunity to elect representatives (councilmembers) of their choice to the

Beaufort City Council. The City Council makes important decisions regarding: the city budget; spending and programming; contracts; permits; appointing judges; adopting and enforcing health and safety codes; zoning and land use regulations; licensing; ordinances; resolutions and regulations; and hiring or terminating workers. The City Council, for example, recently made decisions about the Boundary Street Development Project, which directly impact the Black residents of the historic Northwest Quadrant of Beaufort. For far too long, too many in Beaufort have lacked the ability to elect responsive members of the City Council to make these important decisions on their behalf.

In an age of historic progress, when America has twice elected a Black American to the highest office in this nation, the Beaufort City Council has not had a Black councilmember for 20 years because of at-large voting. The City Council has the power to change that unfortunate reality. Given that other at-large voting systems have been struck down by courts as violating the Voting Rights Act and the Constitution, Beaufort has the opportunity to change its system without expensive and time-consuming litigation. South Carolina law empowers the City Council to take a simple majority vote to change Beaufort's electoral process. After that, the voters of Beaufort must approve a change to the method of election through a referendum. The Burton-Dale-Beaufort NAACP and the City Council are working together to bring this issue to the voters.

AT-LARGE VOTING

What's wrong with the current at-large method of electing members for the Beaufort City Council? The at-large method of electing the City Council deprives Beaufort's residents of color of the opportunity to elect their preferred councilmembers, likely in violation of Section 2 of the Voting Rights Act and the United States Constitution.



The current at-large method of election to the Beaufort City Council does not allow for all of the voices of Beaufort to be heard. The Black voting-age population of Beaufort is nearly 24% of the City's voting-age population, Black

residents are geographically concentrated in the City, and Black voters consistently vote together in citywide elections. However, the white voting-age population, nearly 69% of the City's voting-age population, does not meaningfully support candidates preferred by Black voters. As a result, Beaufort has not elected a Black City Council member for over 20 years.

RACIALLY POLARIZED VOTING

At-large voting, in combination with racially polarized voting, prevents voters of color from electing candidates of their choice to the Beaufort City Council. Racially-polarized voting, or "racial bloc voting," describes a pattern in which most members of a majority race (white, in this case) vote for their preferred candidates, while most members of a minority race (Black, in this case) vote for their preferred candidates, who often are not the same as those preferred by the white majority. Combined with the way that at-large voting allows the votes of white voters to "drown out" the votes of Black voters in Beaufort, racially-polarized voting effectively means that those candidates preferred by white voters will always defeat those candidates preferred by Black voters.



ALL OF BEAUFORT'S RESIDENTS MUST HAVE THE OPPORTUNITY TO ELECT THEIR PREFERRED CANDIDATES OF CHOICE

In addition to at-large voting likely violating the Constitution and the Voting Rights Act, the exclusion of Black voters in Beaufort from the political process enhances the discrimination that the Black community faces in the areas of education and socioeconomic opportunity in Beaufort. Black people in Beaufort must have the opportunity to elect their preferred candidates to the City Council who can advocate for them with respect to issues of economic opportunity and progress. Moreover, the lower educational attainment and socioeconomic status of Black people in Beaufort make it harder for that community to participate in Beaufort's political process and have the resources to compete against the more affluent majority white community in Beaufort.

The socioeconomic disparities between Black and white residents in Beaufort are striking. In terms of education, 27% of Black people in Beaufort lack a high school diploma, as compared to only 7% of non-Hispanic white people. While 49% of Beaufort's non-Hispanic white community has a Bachelor's degree or higher, only 19% of Black people in Beaufort do. Moreover, only 9% of white families live below the poverty level, but almost *half* (48%) of Black families do in Beaufort. Further, 37% of Black people in Beaufort, as compared to 8% of non-Hispanic white people, had income of less than \$10,000, and 42% of Black people in Beaufort, as compared to only 9% of non-Hispanic white people, received food stamps. Given the educational and socioeconomic obstacles that they face, Black residents of Beaufort must have equal access to the resources of the local government.

WHAT THE FUTURE IN BEAUFORT COULD LOOK LIKE

The Burton-Dale-Beaufort NAACP has submitted to the City Council options for district voting maps, which were drawn by a demographic mapping expert and which satisfy all relevant laws and traditional redistricting principles. These are maps for everyone in Beaufort. Under these potential maps, while voters still will vote for the mayor at-large, voters would elect City Council members from districts, and one of those districts would have a majority-Black voting-age population. The maps do not guarantee a Black councilmember, but they give a candidate who is preferred by Black voters a fair shot at being elected, unlike under the current at-large voting method. An independent South Carolina State demographer is working with the City Council, Burton-Dale-Beaufort NAACP, LDF, and LDF's expert demographer to ensure that the City Council ultimately may use a good, fair map for all of Beaufort's residents.

Most cities (and counties) in South Carolina have a district-based method of election. Like Beaufort County, Charleston County, as a result of time-consuming (4+ years) and expensive (2 million dollars) litigation, uses a district-based method of election, as does Charleston City and Hilton Head Island.

District-based voting provides opportunities for all of Beaufort voters. Single-member districts can: provide Beaufort voters with **strong constituency representation and services** because each voter has a single, easily identifiable, district representative; maximize **accountability** because a single representative can be held responsible and can be re-elected or defeated in the next election; and ensure **geographic representation**.

THE VOTING RIGHTS ACT

Section 2 of the Voting Rights Act. The Voting Rights Act forbids the use of any electoral scheme, such as the at-large method of electing members for the Beaufort City Council, that "submerges" the votes of people of color in elections that a white majority of voters control. Widely considered the crown jewel of American democracy, the Voting Rights Act is the most effective tool for protecting voters of color against methods of election – like at-large voting – that weaken the voting strength of communities of color.

In Beaufort, if the City Council acts, litigation under the Voting Rights Act hopefully will not be necessary. Litigation is costly and time-consuming for municipalities whose resources already are limited to fund development and other efforts to build cities. If the City Council exercises its power to put a district-based voting map to the people of Beaufort for a referendum, Beaufort voters potentially can start electing members to the City Council under a fair, legal map, without having to go through litigation.

Years of public advocacy for district voting. For many years, the Burton-Dale-Beaufort NAACP and other Beaufort residents have publicly advocated for electoral opportunity through district voting in Beaufort. Action by this City Council to move the issue of district voting to the voters and for a majority of voters to support a change to the method of election will vindicate Beaufort residents' persistent fight for equal and meaningful access to the political (and socioeconomic) process in Beaufort.

LDF and the Burton-Dale-Beaufort NAACP have prepared this flyer for informational purposes only.

QUESTIONS?



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