

October 21, 2022

Sent via email

Board of Voter Registration and Elections of Marion County
2523 E. Highway 76
Marion, SC 29571
tmoody@marionsc.org
sellott@marionsc.org

Subject: Additional Early Voting Centers in Marion County

Dear Members of the Board of Voter Registration and Elections:

The NAACP Legal Defense and Educational Fund, Inc. (“LDF”) writes to encourage you to add one or more additional early voting centers for the November 2022 election in Marion County, and to do so in locations that are accessible for Black voters.

South Carolina law authorizes counties, including Marion County, to designate up to seven early voting centers for an election.¹ In doing so, counties “must consider geography, population, and ADA compliant accessibility.”² In addition, they “must distribute the locations throughout the county to maximize accessibility for all voters in the county to the greatest extent possible.”³ Under each of these criteria, as well as considerations of fairness and equal access, Marion County’s current early voting plan falls short.

According to the 2020 Census, Marion County is home to 29,183 residents,⁴ who live across a geographical area of 489 square miles.⁵ 20,432 of Marion County’s residents are currently registered to vote.⁶ However, for the November 2022 election, Marion County has identified only one early voting

¹ S.C. Code § 7-13-25(D). While counties must identify early voting centers by March 10 before the primary election, *id.* § 7-13-25(G)(2), they may establish additional early voting centers after March 10 subject to the approval of the Executive Director of the State Election Commission, *id.* § 7-13-25(G)(3).

² *Id.* § 7-13-25(G)(1).

³ *Id.*

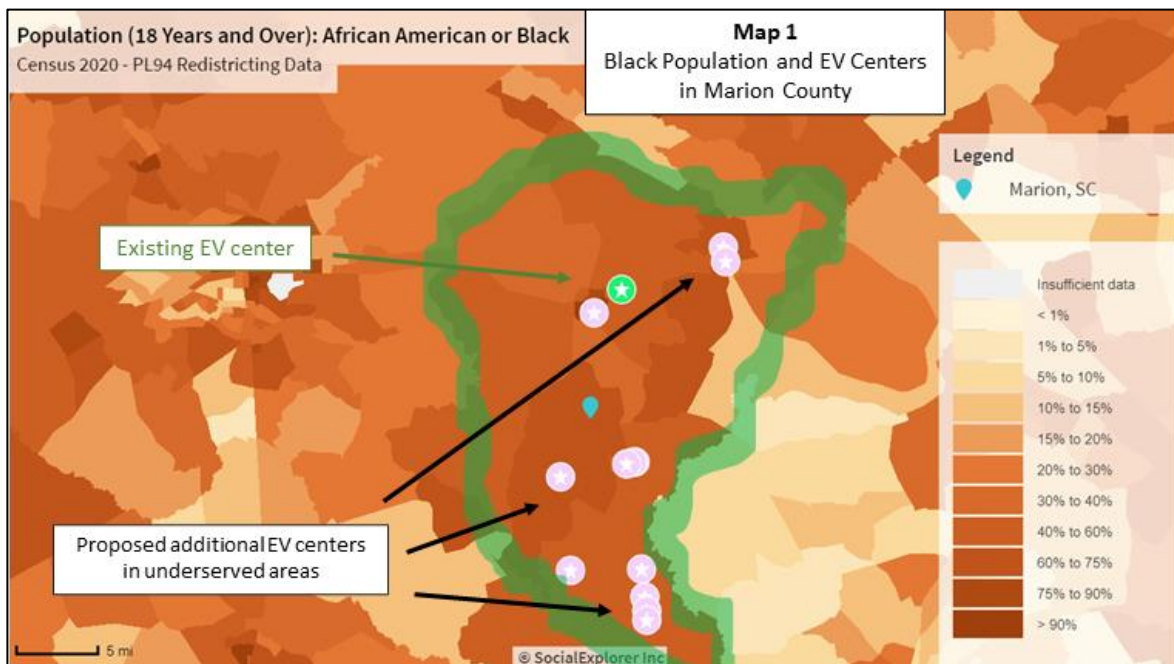
⁴ See U.S. Census Bureau, *QuickFacts: Marion County, South Carolina*, <https://www.census.gov/quickfacts/fact/table/marioncountysouthcarolina,US/POP010220>.

⁵ *Id.*

⁶ S.C. Elec. Comm’n, *SC Voter Registration Demographics: Marion County*, <https://info.scvotes.sc.gov/Eng/VoterStatistics/VoterHistory/CountyAndPrecinct.aspx> (select “Marion” and “Totals” in drop-down menus) (last visited Oct. 21, 2022).

center: the Marion County Administration Building, located at 2523 E. Highway 76, Room 108, Marion, SC 29571.⁷ This would force any of the over 20,000 registered voters in Marion County who wish to exercise their right to vote early to travel to that location, regardless of where in the county’s nearly 500 square-mile expanse they live. It appears likely to cause long lines and inaccessibility.⁸

Moreover, as Map 1 below reveals, the one early voting center identified thus far by Marion County is in the northern, central portion of the county. This location does not appear to be reasonably accessible to communities of predominantly Black voters in the county’s southern and northeastern portions.



The communities of Centenary, Gresham, and Brittons Neck stand out as underserved. Like Marion County as a whole, these communities are also majority-Black in population. The county’s overall population is 56.6% Black,

⁷ S.C. Elec. Comm’n, *Early Voting*, <https://scvotes.gov/voters/early-voting/> (select “Marion”) (last visited Oct. 21, 2022).

⁸ See Hannah Klain, Kevin Morris, Max Feldman, and Rebecca Ayala, *Waiting to Vote: Racial Disparities in Election Day Experiences* 10, Brennan Center for Justice (June 3, 2020), <https://www.brennancenter.org/our-work/research-reports/waiting-vote> (examining nationwide data from the 2018 election and concluding that “voters in counties with the most voters per polling place waited more than twice as long as voters in counties with the fewest voters per polling place”); see also Christopher Famighetti, *Long Voting Lines: Explained* 6, Brennan Center for Justice, https://www.brennancenter.org/sites/default/files/analysis/Long_Voting_Lines_Explained.pdf (reporting that “the strongest predictor of delays is the number of eligible voters each center serves”).

and the population of Centenary, a census-designated place, is 76% Black.⁹ The communities of Gresham and Brittons Neck, although their populations are not reported directly by the Census, are located within Census block groups where Black voting-age population (“BVAP”) is 53% and 54%.¹⁰

Currently, the sole early voting center designated by Marion County does not adequately serve Centenary, Gresham, or Brittons Neck. According to Google Maps, the Marion County Administration Building is 12.4 miles of driving distance from Centenary, 21.0 miles from Gresham, and 21.1 miles from Brittons Neck. Considering that over 13% of occupied housing units in Marion County have no vehicle available,¹¹ traveling these distances to vote early may be a substantial barrier for voters in these communities and others.

The lack of access created by Marion County’s initial early voting plan can and should be remedied. As discussed above, South Carolina law gives you explicit statutory authority to designate up to seven early voting centers.¹² And you are under an obligation, as referenced above, to consider geography and population in designing your early voting plan, in order to appropriately “distribute the locations throughout the county to maximize accessibilitiy for all voters[.]”¹³

Therefore, to provide reasonable and fair accessibility to early voting for all of Marion County’s voters, including voters in predominantly Black communities such as Centenary, Gresham, and Brittons Neck, we urge you to designate one or more additional early voting centers at appropriate locations in the county. There are numerous viable options that you could explore for these additional locations, including the following:

1. Marion High School, 1205 S Main St, Marion, SC 29571
2. North Mullins Primary School, 105 Charles St, Mullins, SC 29574
3. Mullins Library, 210 N Main St, Mullins, SC 29574
4. Bethel AME Church, 7113 SC-908, Gresham, SC 29546
5. Whitehill Missionary Baptist, 9301 Hwy 9, Gresham, SC 29546

⁹ See U.S. Census Bureau, *2020 Census: Redistricting File (Public Law 94-171) Dataset*.

¹⁰ Gresham and Britton Woods are both located in portions of Block Group 1, Census Tract 9508 (54% BVAP), and Block Group 2, Census Tract 9508 (53% BVAP). *Id.*

¹¹ U.S. Census Bureau, *American Community Survey, 2020 American Community Survey 5-Year Estimates*, accessed at <https://data.census.gov/cedsci/table?q=vehicle&g=0500000US2207,45067>.

¹² S.C. Code § 7-13-25(D).

¹³ *Id.* § 7-13-25(G)(1).

6. Centenary Baptist Church, 112 Davis St, Centenary, SC 29571
7. Good Hope AME, 706 Tyndall Rd, Centenary, SC 29571
8. Brittons Neck Gresham Fire Department, 7692 SC-908, Gresham, SC 29546
9. Red Hill Church, 116 Sonny Rd, Gresham, SC 29546, Brittons Neck, SC
10. Nebo Baptist Church, 6411 SC-908, Gresham, SC 29546
11. Centenary Volunteer Fire Department, 115 E Devils Dining Room Rd, Marion, SC 29571
12. Friendship Baptist Church, 6133 Hwy 9, Gresham, SC 29546

We urge you to act promptly in addressing this inequity. We understand that the decision to establish early voting centers involves a nuanced and often challenging set of considerations regarding funding, accessibility, and compliance with state law. But it is important for you to act to address the access issues we have identified above. This matter is urgent—as you know, early voting begins on Monday, October 24. To discuss these recommendations further, please feel free to contact Steven Lance at slance@naacpldf.org.

Sincerely,

/s/ Steven Lance

Amir Badat, Manager, Prepared to Vote and Voting Rights Defender Projects

Alaizah Koorji, Assistant Counsel

Steven Lance, Policy Counsel

Christina Das, Attorney for the Prepared to Vote and Voting Rights Defender Projects

Todd Hendricks, Data and Research Analyst

NAACP Legal Defense and Educational Fund, Inc.

40 Rector Street, 5th Fl.

New York, NY 10006

(212) 965-2200