

October 21, 2022

Sent via email

Orangeburg County Voter Registration Office
1475 Amelia Street
Orangeburg, SC 29115
voters@orangeburgcounty.org

Subject: Additional Early Voting Centers in Orangeburg County

Dear Director Smalls and Members of the Voter Registration Staff:

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

South Carolina law authorizes counties, including Orangeburg 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 racial equity, Orangeburg County’s current early voting plans falls short.

According to the 2020 Census, Orangeburg County is home to 84,223 residents,⁴ who live across a geographical expanse of 1,106 square miles.⁵ 53,551 of Orangeburg County’s residents are currently registered to vote.⁶ However, for the November 2022 election, Orangeburg County has thus far identified only three early voting centers.⁷ This decision would force each location to serve an

¹ S.C. Code § 7-13-25(D).

² *Id.* § 7-13-25(G)(1).

³ *Id.*

⁴ See U.S. Census Bureau, *2020 Decennial Census*.

⁵ *Id.*

⁶ S.C. Elec. Comm’n. *SC Voter Registration Demographics: Beaufort County*, <https://info.scvotes.sc.gov/Eng/VoterStatistics/VoterHistory/CountyAndPrecinct.aspx> (select “Orangeburg” and “Total” in drop-down menus) (last visited Oct. 20, 2022).

⁷ Orangeburg County, S.C., *Voter Registration*, <https://www.orangeburgcounty.org/346/Voter-Registration> (last visited Oct. 20, 2022).

average of 17,850 registered voters, over an average of 368 square miles. It appears likely to result in long lines and crowding at the polls.⁸ As a matter of efficient election administration and sound governmental policy, therefore, Orangeburg County’s decision to designate only three early voting centers is highly questionable.

Moreover, the three early voting centers that Orangeburg County has designated to date⁹ do not appear to be equally accessible for the County’s communities of Black voters, raising concerns that Black voters in Orangeburg County may be denied an equal opportunity to participate in the political process during early voting in the November 2022 election.¹⁰

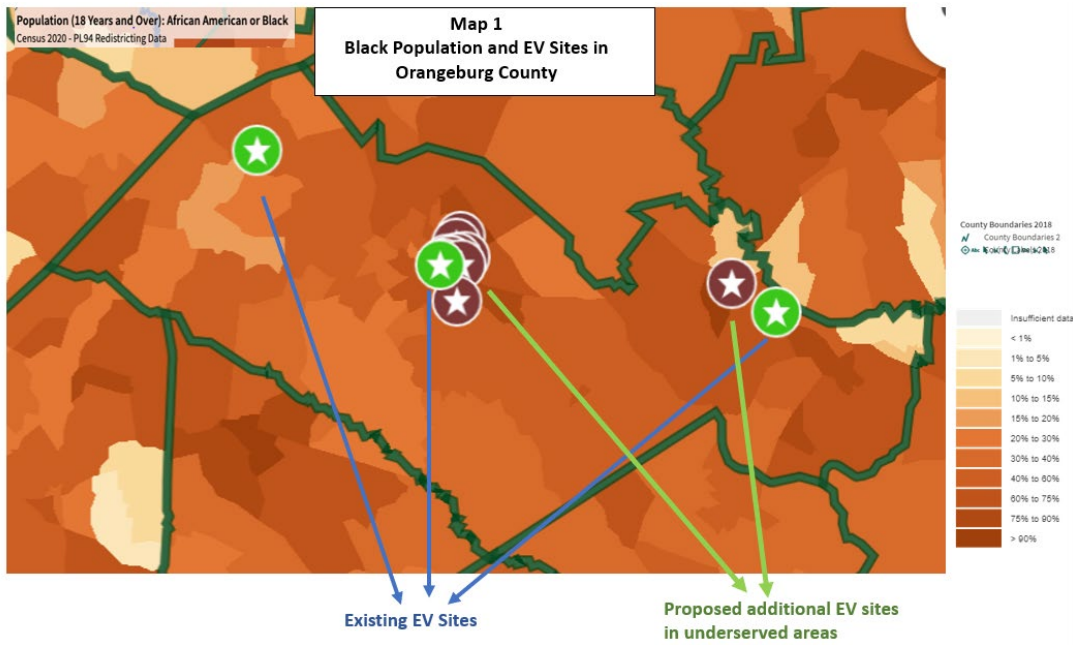
As Map 1 below reveals, there is only one early voting center in central Orangeburg, a region where there is a significantly higher proportion of Black residents than in Orangeburg County as a whole—while the county’s overall population is 61.8% Black, the populations in these areas range from 86% to 98% Black.¹¹

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”).

⁹ The three sites are: Orangeburg County Council Chambers, at 1437 Amelia St., North Challenge Center - North Family Community School, 4583 Savannah Hwy, Vance Senior Center, 10304 Old Number 6 Hwy, *supra* note 7.

¹⁰ See 52 U.S.C. § 10301(b) (explaining that Section 2 of the Voting Rights Act of 1965 is violated if “the political processes leading to nomination or election in the State or political subdivision are not equally open to participation by members of a [racial or language minority group] in that its members have less opportunity than other members of the electorate to participate in the political process and to elect candidates of their choice”).

¹¹ See Map. Social Explorer, *African American or Black (18 Years and Over) 2020, 2020 Social Explorer, (based on data from U.S. Census Bureau)*, accessed Oct. 21, 2022, available at <https://www.socialexplorer.com/e8d5090e84/view>.



One early voting center is insufficient to serve voters in central Orangeburg, and traveling to the other two voting sites would be extremely burdensome. As shown by Map 1, the westward early voting center, North Challenge Center, is approximately 18 miles from the center of Orangeburg; Vance Senior Center is nearly 29 miles east of central Orangeburg County.

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

To provide reasonable and fair accessibility to early voting for Orangeburg County’s Black voters, and to more appropriately distribute locations throughout the county, we urge you to designate four additional early voting sites in central Orangeburg. There are a number of available locations in central Orangeburg that would alleviate the strain on the single EV site located in that area. Those include:

1. South Carolina State University, 300 College Ave, Orangeburg, SC 29117

¹² S.C. Code § 7-13-25(D).

¹³ *Id.* § 7-13-25(G)(1).

2. Whittaker Elementary School, 790 Whittaker Pkwy, Orangeburg, SC 29115
3. Providence Missionary Baptist Church, 2597 Russell St, Orangeburg, SC 29115
4. Robert Howard Middle School, 1255 Belleville Rd, Orangeburg, SC 29115
5. Claflin University, 400 Magnolia St, Orangeburg, SC 29115
6. Orangeburg County Library, 1645 Russell St, Orangeburg, SC 29115
7. Nix Elementary, 770 State Rd S-38-801, Orangeburg, SC 29115
8. Orangeburg-Wilkinson High School, 601 Bruin Pkwy, Orangeburg, SC 29118
9. Santee Town Hall, 194 Brooks Blvd, Santee, SC 29142
10. St. Paul Baptist Church, 2259 Rowesville Rd, Orangeburg, SC 29115

We urge you to act promptly in addressing this inequity. We understand that the decision to establish early voting centers involves a nuanced set of considerations regarding funding, accessibility, and compliance with state law. But it is important for you to act to address the access disparities 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 Alaizah Koorji at akoorji@naacpldf.org.

Sincerely,

/s/ Alaizah Koorji

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 Todd Hendricks, Data and Research Analyst

Voting Rights Defender Projects

NAACP Legal Defense and Educational Fund, Inc.

40 Rector Street, 5th Fl.

New York, NY 10006

(646) 734-7335