

STATE OF SOUTH CAROLINA, )  
 )  
COUNTY OF JASPER )  
 )  
JASPER COUNTY, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
ALVIN ADKINS and THE BOARD OF )  
VOTER REGISTRATION AND )  
ELECTIONS OF JASPER COUNTY )  
 )  
Defendant. )

IN THE COURT OF COMMON PLEAS

SUMMONS

FILE NO. \_\_\_\_\_

TO THE DEFENDANT ABOVE-NAMED: **ALVIN ADKINS**  
**67 Bolden Lane, Yemassee, SC**

YOU ARE HEREBY SUMMONED and required to answer the Complaint herein, a copy of which is herewith served upon you, and to serve a copy of your answer to this complaint upon the subscriber, at 1221 Main Street, Suite 1800, Columbia, South Carolina 29201, or at the address shown below, within thirty (30) days after service hereof, exclusive of the day of such service, and if you fail to answer the Complaint, judgment by default will be rendered against you for the relief demanded in the Complaint.

COLUMBIA, South Carolina

s/Michael R. Burchstead  
Michael R. Burchstead, SC Bar #73770  
Burr & Forman, LLP  
Post Office Box 11390  
Columbia, SC 29211  
(803) 799-9800  
(803) 753-3278 (Fax)  
[mburchstead@burr.com](mailto:mburchstead@burr.com)  
Attorneys for Plaintiffs

Dated: February 15, 2022

SCCA 401 (5/02)

47218427 v1

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**Mar 20 2024**

**S.C. SUPREME COURT**

STATE OF SOUTH CAROLINA	)	
	)	IN THE COURT OF COMMON PLEAS
COUNTY OF JASPER	)	
JASPER COUNTY,	)	CASE NO.: 2022-CP-27-_____
	)	
Plaintiff,	)	
	)	
vs.	)	COMPLAINT FOR DECLARATORY
	)	AND INJUNCTIVE RELIEF AND
ALVIN ADKINS and THE BOARD OF	)	REQUEST FOR A SPEEDY HEARING
VOTER REGISTRATION AND	)	(Non-Jury)
ELECTIONS OF JASPER COUNTY,	)	
	)	
Defendants.	)	
_____	)	

Plaintiff Jasper County, pursuant to S.C. Code Ann. § 15-53-10, *et. seq.*, and Rule 57 and Rule 65 of the South Carolina Rules of Civil Procedure (“SCRCP”), seeks declaratory judgment and injunctive relief, and in support thereof would show the Court as follows:

**PARTIES, JURISDICTION, AND VENUE**

1. Plaintiff Jasper County is a political subdivision of the State of South Carolina, operating under a Council-Administrator form of government pursuant to S.C. Code Ann. § 4-9-10, *et. seq.* and § 4-9-610, *et. seq.*

2. The governing body of Jasper County is comprised of a five-member Council, whose members are elected at-large, meaning all residents of Jasper County can vote for each of the five Jasper County Council positions.

3. Jasper County is separated into four districts: the Hardeeville Township, the Robertville Township, the Pocotaligo Township, and the Coosawhatchie Township. Pursuant to section 2-31 of the Jasper County Code of Ordinances (which was adopted on June 25, 1976 in accordance with Section 3 of Act 283 of 1975), four councilmembers are elected from each of

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**Mar 20 2024**

S.C. SUPREME COURT

these four districts, and they must be a resident of the district they are elected to serve in order to qualify to serve. The other councilmember is elected at-large, meaning the person running for and ultimately filling this position can reside anywhere in Jasper County.

4. Defendant Board of Voter Registration and Elections of Jasper County (“Jasper BVRE”) is the entity with statutory authority to oversee elections and conduct elections in Jasper County, including County Council elections. *See* S.C. Code Ann. § 7-5-10, *et. seq.* Upon information and belief, the Jasper BVRE is a necessary party to this action insofar that if the Court orders that a special election is required to be held, the Jasper BVRE will have to implement the decision and conduct the election.

5. Defendant Alvin Adkins currently resides at 67 Bolden Lane in Yemassee, in Jasper County.

6. When Adkins ran for Jasper County Council in the primary election on June 9, 2020 and in the general election on November 3, 2020, he resided at 67 Bolden Lane in Yemassee.

7. When Adkins, in March 2020, filed his required paperwork to establish his candidacy for Jasper County Council with the Jasper BVRE, he certified that he resided at 67 Bolden Lane in Yemassee.

8. Adkins was elected to Jasper County Council in 2020 to represent the Pocotaligo Township District.

9. In order to be eligible to serve on the Pocotaligo Township District seat on Jasper County Council, the position for which Adkins was elected to serve, Adkins was required to reside in the Pocotaligo Township District at the time of the election and to continue residing in the Pocotaligo Township District for as long as he held that position.

10. Adkins assumed his position on Jasper County Council representing the Pocotaligo Township District on January 2, 2021, and he has continually served on Council in that position as of the filing of this Complaint.

11. Adkins did not reside in the Pocotaligo Township District at the time of his election to Jasper County Council, and he has not resided in the Pocotaligo Township District at any point during the time in which he has served as a member of Council.

12. Adkins' address of 67 Bolden Lane in Yemassee is not located in the Pocotaligo Township District. It is in, in fact, located in the Coosawhatchie Township District.

13. Jurisdiction and venue in this Court are proper.

### **FACTS**

14. On or about March 20, 2020, Adkins timely filed his Statement of Intention of Candidacy ("SIC") and Party Pledge with the Jasper BVRE (**Exhibit A**), declaring his candidacy for the Pocotaligo Township District seat on Jasper County Council. The address that Adkins listed as his residence on the SIC was 67 Bolden Lane in Yemassee. The SIC also included a Candidate's Oath, which Adkins signed, attesting that "I hereby affirm that I meet, or will meet by the time of the general or special election, or as otherwise required by law, the qualifications for this office."

15. Adkins did not meet the residency requirements for the Jasper County Council position he ran for in the June 9, 2020 primary election or in the November 3, 2020 general election.

16. On June 9, 2020, Adkins received the most votes in the Democratic Party primary election for the Pocotaligo Township District seat on Jasper County Council.

17. In the November 3, 2020 general election, Adkins ran unopposed and was elected to Pocotaligo Township District seat on Jasper County Council for a term beginning on January 2, 2021 and expiring on January 1, 2025.

18. On January 2, 2021, Adkins assumed the position on Jasper County Council for the Pocotaligo Township seat. From that time until the present, Adkins has continued to actively serve as a member of Council, including attending meetings, voting, making motions, and participating in executive sessions.

19. Jasper County is currently in the midst of the once-every-decade process of redistricting. This process impacts not only elections for County Council races, but all “countywide and less than countywide offices, including, but not limited to, all school boards and school trustee elections.” Section 7-13-15(B)(2)(c).

20. In January 2022, in the course of consultation between Jasper County officials and the South Carolina Revenue and Fiscal Affairs Office (“RFA”) about redistricting, an RFA employee alerted the County to the fact that based on the 67 Bolden Lane in Yemassee address Adkins provided to the Jasper BVRE, Adkins did not reside in the Pocotaligo Township District, but in the Coosawatchie Township District.

21. Subsequent due diligence by Jasper County staff confirmed the following:

(a) Adkins did not reside in the Pocotaligo Township District at the time of either the primary election on June 9, 2020 or the general election on November 3, 2020; and

(b) Adkins has never resided in the Pocotaligo Township District at any point in time while serving on Jasper County Council.

22. The RFA has reaffirmed its position that the 67 Bolden Lane in Yemassee address is not presently located in the Pocotaligo Township District. *See Exhibit B*, Rainwater Affidavit

23. In February 2022, Adkins confirmed that he has continually resided at 67 Bolden Lane in Yemassee from June 9, 2020 to the present date. Despite this confirmation, Adkins has refused to resign from Jasper County Council.

24. On February 7, 2022, Jasper County Council voted on second reading on a redistricting ordinance that would draw Adkins' residential address, 67 Bolden Lane in Yemassee, into the Pocotaligo Township District. This measure passed by a 3-2 vote, with Adkins voting with the majority. Third reading on the Jasper County redistricting ordinance is scheduled to take place on February 22, 2022.

25. Because the filing period for all countywide and less than countywide offices begins on March 16, 2022, *see* S.C. Code § 7-11-15, Jasper County must expeditiously pass a redistricting plan in order to conduct new elections using 2020 Census data.

26. Without Adkins' vote on a redistricting ordinance, there is a substantial risk that the ordinance cannot pass and that there will be a 2-2 deadlock with only four members of Council participating. If Adkins does vote on third reading of the redistricting ordinance, but subsequently is adjudicated unqualified and not entitled to the status as a *de facto* councilmember, then there is the real risk that the integrity of the elections themselves are susceptible to collateral attack at a later date.

**FOR A FIRST CAUSE OF ACTION**  
(Declaratory Judgment)

27. Each allegation contained above is realleged and incorporated by reference.

28. Adkins is not qualified to serve for the Jasper County Council position for which he ran and was elected because he does not meet the residency requirements to hold this position.

See Article XVII, Section 1 and Article VI, Section 1 of the S.C. Constitution (officeholders must possess the “qualifications of an elector”); Section 7-5-120 (setting forth the qualifications of an elector, including that he be a “resident in the county and in the polling precinct in which [he] offers to vote ...”).

29. Specifically, Adkins is not qualified to serve for the Jasper County Council position for which he ran and was elected because he did not reside in the Pocotaligo Township District at the time of either the primary election on June 9, 2020 or the general election on November 3, 2020.

30. Furthermore, Adkins is not qualified to serve for the Jasper County Council position for which he ran and was elected because he has not resided in the Pocotaligo Township District at all times after taking office in January 2021.

31. Because of Adkins’ disqualification from office, there is currently a “vacancy” in the Pocotaligo Township District seat on Council to which Adkins was elected.

32. A “vacancy” occurs if a councilmember is not qualified to serve. *See Bradford v. Byrnes*, 221 S.C. 255, 262, 70 S.E.2d 228, 232 (1952); 1993 S.C. Op. Att’y Gen. 164, 1993 WL 494585 at n.2 (“[A]n office is deemed vacant when it is occupied by one who is no longer qualified to hold office.”).

33. Because of the “vacancy” that exists with respect to the Pocotaligo Township District seat on Council and because the November 8, 2022 general election is more than 180 days away, a special election is required to fill this vacancy. *See* S.C. Code § 4-9-90 (“Vacancies on the governing body [of Council] shall be filled...by special election if the vacancy occurs one hundred eighty days or more prior to the next general election.”).

34. Notwithstanding the foregoing, Adkins has thus far served on Council as a *de facto* officer, and Adkins can continue to serve in a *de facto* capacity on Council until an election can be held as required by Section 4-9-90 of the South Carolina Code of Laws and a qualified elector elected. *See Bradford*, 221 S.C. at 262 (“In the absence of [a] pertinent statutory or constitutional provision, public officers hold over *de facto* until their successors are appointed or elected and qualify.”); S.C. Op. Att’y Gen., 1997 WL 811900 at \*2 (S.C.A.G. Nov. 20, 1997) (One who holds an office under an appointment or election giving color of title may be a *de facto* officer, although the appointment or election is irregular or invalid.).

35. Because Adkins has been serving and can continue to serve as a *de facto* councilmember, Adkins has all of the same powers and rights as the other four councilmembers until a special election can be held to elect a qualified elector for the Pocotaligo Township District seat on Council, and the past and future votes of Adkins cannot be subject to collateral attack by virtue of his lack of qualification for office.

36. Accordingly, Adkins’ past votes are valid, and the same would be true of a potential future votes, until such a time when an election can be held as required by Section 4-9-90 of the South Carolina Code of Laws and a qualified elector elected

37. The prospective passage of a redistricting ordinance which makes Adkins a resident of the Pocotaligo Township District does not retroactively “cure” Adkins’ disqualification from office. Even if such ordinance is passed, a special election is still required for the council-position currently held by Adkins. *See* 1993 S.C. Op. Att’y Gen. 164, 1993 WL 494585 at \*1 (The residency requirements for an office holder are continuing, and a candidate thus must be qualified both at the time of his election and throughout his tenure in office); *Id.* at \*2 (citing Section 4-9-90 and noting that it *required* an election after a councilmember moved from the district).

38. Pursuant to section 15-53-20 of the South Carolina Code, Jasper County seeks a declaration from this Court to ensure that all of Jasper County Council's past and future actions will not be subject to collateral attack on the basis of Adkins' disqualification from office. Jasper County seeks a declaration from the Court on the following issues:

- a. Whether Adkins is qualified for the position he ran for and was elected—the Pocotaligo Township District seat on Jasper County Council.
- b. If Adkins is not qualified for the position he ran for and was elected, whether there is currently a “vacancy” on the Pocotaligo Township District seat on Jasper County Council.
- c. If there is a “vacancy” on the Pocotaligo Township District seat on Jasper County Council, whether a special election under Section 4-9-90 is required, and *when* that “vacancy” occurred for the purposes of determining the timing of the special election.
- d. Whether Adkins has been serving as a *de facto* councilmember from the point in time when he took office until a special election can be held to elect and install a *de jure* officer.
- e. Whether the future passage of a redistricting ordinance which draws Adkins's residence into the Pocotaligo Township District obviates the need for a special election.
- f. Whether those votes cast by Adkins as a councilmember were properly counted from the point in time in which Adkins assumed office on January 2, 2021 to the present.

**FOR A SECOND CAUSE OF ACTION**  
**(Temporary/Permanent Injunction)**

39. Each allegation contained above is realleged and incorporated by reference.

40. Among other declaratory relief sought by Jasper County, the Court is being asked to decide whether a “vacancy” exists in the Pocotaligo Township District position on Jasper County Council. Under S.C. Code Ann. § 4-9-90, a “vacancy” triggers a special election which must be held within 180 days of the vacancy.

41. Jasper County lacks the power to declare that a vacancy exists on County Council, and it lacks the power to require Jasper BVRE to hold a special election.

42. Without an injunction from this Court, a special election will not be held within the 180-day timeframe as required by Section 4-9-90 of the South Carolina Code of Laws.

43. Jasper County will suffer irreparable harm without an injunction from this Court, as without an injunction, a timely special election will not occur, and without a timely special election, Adkins will no longer qualify as a *de facto* officer.

44. Jasper County lacks an adequate remedy at law given its lack of power to declare a vacancy or to call a special election.

45. Based on the facts as asserted in this Complaint and in the Exhibits attached hereto, Jasper County has a high likelihood of success on the merits in demonstrating that a special election should be ordered.

46. Therefore, Jasper County respectfully requests a temporary and permanent injunction to order a special election within the timeframe required by Section 4-9-90 of the South Carolina Code of Laws for the Pocotaligo Township District position on Jasper County Council.

**PRAYER FOR RELIEF**

**WHEREFORE**, pursuant to SCRCP 57 and 65, Jasper County prays for a declaratory judgment on the issues set forth above, and requests a speedy hearing and that this matter be advanced on the calendar. In addition, Jasper County prays for the injunction set forth above. Finally, Jasper County further prays for such other and further relief as this Court may deem appropriate and just under the circumstances.

**BURR & FORMAN, LLP**

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*Attorneys for Plaintiff*

Columbia, SC  
February 15, 2022

# EXHIBIT A

# Statement of Intention of Candidacy & Party Pledge

This form must be filed with the appropriate election office by any candidate seeking a political party's nomination. All information on this form will be made available to the public at the time of filing. For more information, visit [www.scVOTES.org/candidate-information](http://www.scVOTES.org/candidate-information).

ELECTRONICALLY FILED 03-22-2020 15:50:08 PM - JASPER COUNTY BOARD OF ELECTIONS

<b>Name</b>	Alvin ABBY Adkins	<b>Party</b>	Dem
<b>Office</b>	County Council	<b>District</b>	Pocotaligo
<b>Voter Reg. #</b>	272307594	<b>Primary or Convention Date</b>	June 9 - 2020
		<b>Election Date</b>	NOV 3 - 2020

*Name on ballot may be any combination of a candidate's given name, derivative of the given name, or nickname. A derivative name or nickname must be used in good faith for honest purposes and may not imply professional or social status, an office, or military rank. A nickname may not exceed 15 letters.*

**Name on Ballot** Alvin ABBY Adkins

**Name pronunciation, if necessary, for audio ballot (e.g., Jackson Gervais: jur-VAY)**

**Candidate Contact Information** (address not required to be residence address)


<b>Address</b>	67 Bolden Lane	<b>City</b>	Yemassee	<b>Zip</b>	29945
<b>Phone</b>	843-684-0048	<b>Email</b>	adkins abbey@gmail.com		

**Party Pledge** (Party Pledge not applicable to designees for the Office of Lieutenant Governor)

I hereby file my notice as a candidate for the nomination as County Council (Office Name) Pocotaligo in the primary election or convention to be held on June 9 - 2020 (Primary or Convention Date). I affiliate with the Democratic Party, and I hereby pledge myself to abide by the results of the primary or convention. I shall not authorize my name to be placed on the general election ballot by petition and will not offer or campaign as a write-in candidate for this office or any other office for which the party has a nominee. I shall not authorize the issuance of an injunction upon ex parte application by the party chairman, as provided by law, should I violate this pledge by offering or campaigning in the ensuing general election for election to this office or any other office for which a nominee has been elected in the party primary election, unless the nominee for the office has become deceased or otherwise disqualified for election in the ensuing general election.

**Candidate's Oath**

I hereby affirm that I meet, or will meet by the time of the general or special election, or as otherwise required by law, the qualifications for this office.

**Candidate Signature**  **Date** 3-20-20

*Candidate must sign in the presence of an Election Official or Notary Public.*

**Election Official Signature** Rosemary Aikers

**Date Received** 3/20/2020 **Time Received** 11:45am  SEC  Jasper County Board

**For use if candidate signs in presence of Notary Public**

**Name of Notary Public** Rosemary Aikers **My Commission Expires** 4/1/2020

**Signature of Notary Public** Rosemary Aikers **Date** 3/20/2020

# EXHIBIT B

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF JASPER )

IN THE COURT OF COMMON PLEAS

JASPER COUNTY, )  
 )  
Plaintiff, )

CASE NO.: 2022-CP-27-\_\_\_\_\_

vs. )

AFFIDAVIT OF  
FRANK A. RAINWATER

ALVIN ADKINS and THE BOARD OF )  
VOTER REGISTRATION AND )  
ELECTIONS OF JASPER COUNTY, )

Defendants. )  
\_\_\_\_\_ )

PERSONALLY APPEARED BEFORE ME, the undersigned, who is over the age of eighteen (18) and who being duly sworn, deposes and says:

1. I am the Executive Director of the South Carolina Revenue and Fiscal Affairs Office ("RFA") and have served in that capacity since July 1, 2014 and have personal knowledge of the facts and circumstances stated herein.

2. RFA was designated by Governor Haley as the state's liaison to the US Census Bureau for the geographic programs of the 2020 Census Redistricting Data Program. The agency also maintains the official precinct maps pursuant to S.C. Code of Laws § 7-7-30 *et seq.* and § 11-9-850, and collaborates on other mandated mapping programs such as the establishment of jury areas, incorporation criteria, and the transportation network.

3. On October 28, 2021, RFA and the Jasper County Administrator discussed having RFA assist the Jasper County Council ("Council") with their redistricting needs.

4. On October 28, 2021, RFA provided, via email, its standard overview and process documents for redistricting and requested information, including names and addresses of incumbents, needed from Jasper County ("County") to prepare the Benchmark Report.

5. On November 19, 2021, the County provided the physical addresses of its County Council members. The address provided for Mr. Alvin Adkins was 67 Bolden Lane, Yemassee, SC 29945.

6. Also, on November 19, 2021, RFA requested the Districts that each Council member represented. The County's response showed Mr. Alvin Adkins represented the Pocotaligo Township.

7. The County provided the district numbers that corresponded to the township names. Based on the information provided by the County, Coosawhatchie Township is District 1, and Pocotaligo Township is District 3.

8. On December 2, 2021, RFA provided the Benchmark Report to the County, which is attached to this affidavit as **Exhibit #1**. The Benchmark Report includes a map of the current districts with the physical addresses of the incumbents marked. The Benchmark map shows no incumbents in District 3 (Pocotaligo Township) and multiple incumbents in District 1 (Coosawhatchie Township).

9. On January 6, 2022, RFA provided a larger version of the Benchmark map previously sent to the County, which is attached to this affidavit as **Exhibit #2**. The larger map more clearly shows both Mr. Alvin Adkins and Mr. Martin L. Sauls residing in District 1.

10. On January 12, 2022, RFA provided a Draft Redistricting Plan to the County at their request, which is attached to this affidavit as **Exhibit #3**. The Draft map showed no incumbents in District 3 (Pocotaligo Township) but multiple incumbents in District 1 (Coosawhatchie Township).

11. On January 13, 2022, RFA presented virtually the Benchmark Report and Draft Redistricting Plan to Council at their meeting. During the presentation, questions arose about the location of multiple incumbents in District 1 (Coosawhatchie Township).

12. On January 14, 2022, RFA emailed the County requesting verification of incumbent addresses and associated districts. The County's response stated that Mr. Alvin Adkins represented District 3 (Pocotaligo Township).

13. On January 18, 2022, RFA verified the addresses were properly geocoded and confirmed that Mr. Alvin Adkins resides in District 1 (Coosawhatchie Township).

14. RFA staff compared the address locations of the Council members on the provided maps to three other data sources (the address point data, road center-line data, and parcel data) and found them to be identical confirming that Mr. Alan Adkins address of 67 Bolden Lane, Yemassee, SC 29945 is not in District 3 (Pocotaligo Township), but is in District 1 (Coosawhatchie Township).

FURTHER AFFLIANT SAYETH NOT

  
FRANK A. RAINWATER

SWORN to and subscribed before me  
this 15<sup>th</sup> day of February, 2022

 (L.S.)  
Notary Public for the State of South Carolina

Sandra R Kelly  
Print Name

My Commission Expires: 1/2/2028

# EXHIBIT 1

# 2020 REDISTRICTING BENCHMARK REPORT

## JASPER COUNTY

**REPORT PREPARED BY:**

South Carolina Revenue and Fiscal Affairs  
Rembert Dennis Building, Room 419  
1000 Assembly Street  
Columbia, South Carolina 29201  
(803)-734-3793  
[www.rfa.sc.gov](http://www.rfa.sc.gov)

December 1, 2021

**REDISTRICTING REPORT 2020**  
**PRESENTED TO: JASPER COUNTY**

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The South Carolina Revenue and Fiscal Affairs Office (RFA) has prepared the following analysis and accompanying maps regarding the redistricting for Jasper County Council.

RFA strives to release data that is complete, accurate, and useful. However, we ask that you notify us, either by email ([redistricting@rfa.sc.gov](mailto:redistricting@rfa.sc.gov)) or phone (803-734-3793), of any discrepancies.

**ITEMS TO NOTE PRIOR TO REVIEWING THIS REPORT:**

- The 2020 Census presents new challenges regarding redistricting as the data below the state level will be affected by the U.S. Census Bureau’s efforts with respect to differential privacy. The Bureau has stated that the total population in each state will be “as enumerated,” but that all other levels of geography could have some variance from the raw data. This variance is referred to by the Census Bureau as “injecting noise” into the data and is an attempt to improve privacy. The bureau has indicated that no “noise” will be injected into the state total population, but it is likely that noise will be injected for every other level of geography. More noise is injected as the geography levels get smaller. In other words, population counts at the county, city, or block level may not be “as enumerated”.
- In determining total population, RFA recommends and has excluded the prison population from the analysis in order to avoid prison gerrymandering concerns. However, the final decision to include or exclude the prison population is at the discretion of Council.
- Race is defined following the guidance provided in OMB Bulletin No. 00-02 which allocates population counts of a “minority race and white” category to the minority race. In Tables 2 and 3, NH DOJ Black is the sum of Non-Hispanic Black and Non-Hispanic Black and White as recommended by the Department of Justice (DOJ).

**CONSIDERATIONS FOR PRELIMINARY PLAN:**

In developing a preliminary plan, RFA recommends following constitutional and statutory provisions:

- The requirement of “one person, one vote” under the Equal Protection Clause of the 14<sup>th</sup> Amendment and accepted variances.
- The Voting Rights Act, primarily Section 2, which protects the interest of the racial minority population.
- Other applicable court decisions and federal and state law.

Further, RFA recommends the following set of traditional redistricting principles be considered:

- Districts or wards will be drawn contiguously, so that all parts of the district or ward are connected to each other.
- Districts or wards will be drawn to minimize the division of voting precincts.
- Districts or wards will be geographically compact to the extent practicable, such that nearby areas of population are not bypassed for a more distant population.
- Districts or wards will be drawn, when feasible, with respect to existing districts and communities of interests, which will require input from Council and the citizens.
- Districts or wards will be drawn to comply with other applicable court decisions and federal and state laws.

## 2020 CENSUS BENCHMARK REPORT

The population of Jasper County, including the prison population, has increased 16.2% from 24,777 to 28,791. However, based on recent court decisions, RFA recommends excluding the prison population of 927 to better reflect 'one person, one vote'.

The Benchmark Report noted a deviation range of 74.17% (the sum of the highest deviation, 50.9% and the absolute value of the lowest deviation |-23.27%|) which is above the maximum range of 10%. RFA recommends a deviation range of 5%.

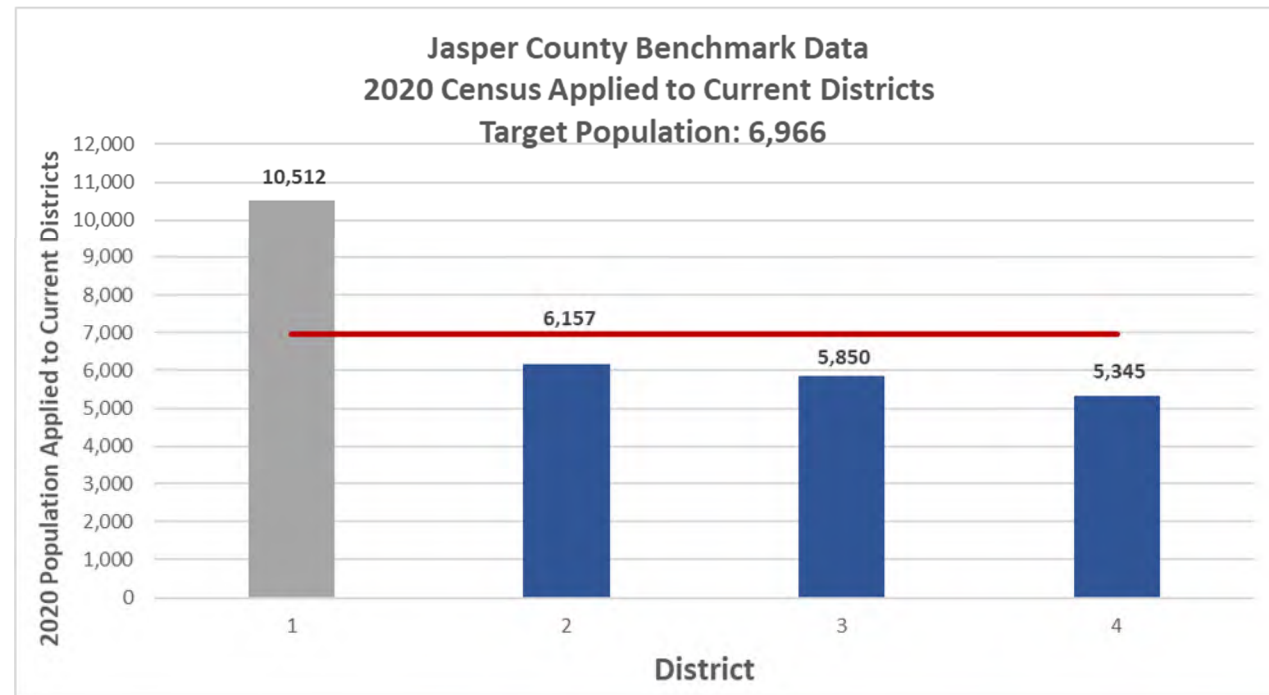
The following table and chart show which districts are (under-) or over-populated indicating adjustments may be necessary to stay within the allowable deviation range.

TABLE 1: 2020 CENSUS COUNTS APPLIED TO CURRENT DISTRICTS

CHART 1:

*Note: The population of 927 housed at Ridgeland Correctional Institute was removed for this analysis*

District	2020 Census	Goal	Over/(Under)	% Deviation
1	10,512	6,966	3,546	50.90%
2	6,157	6,966	(809)	-11.61%
3	5,850	6,966	(1,116)	-16.02%
4	5,345	6,966	(1,621)	-23.27%
Lowest	-23.27%			
Highest	50.90%			
Range	74.17%			



MAP 1:

Current County  
Council District Lines and  
Addresses of Incumbents

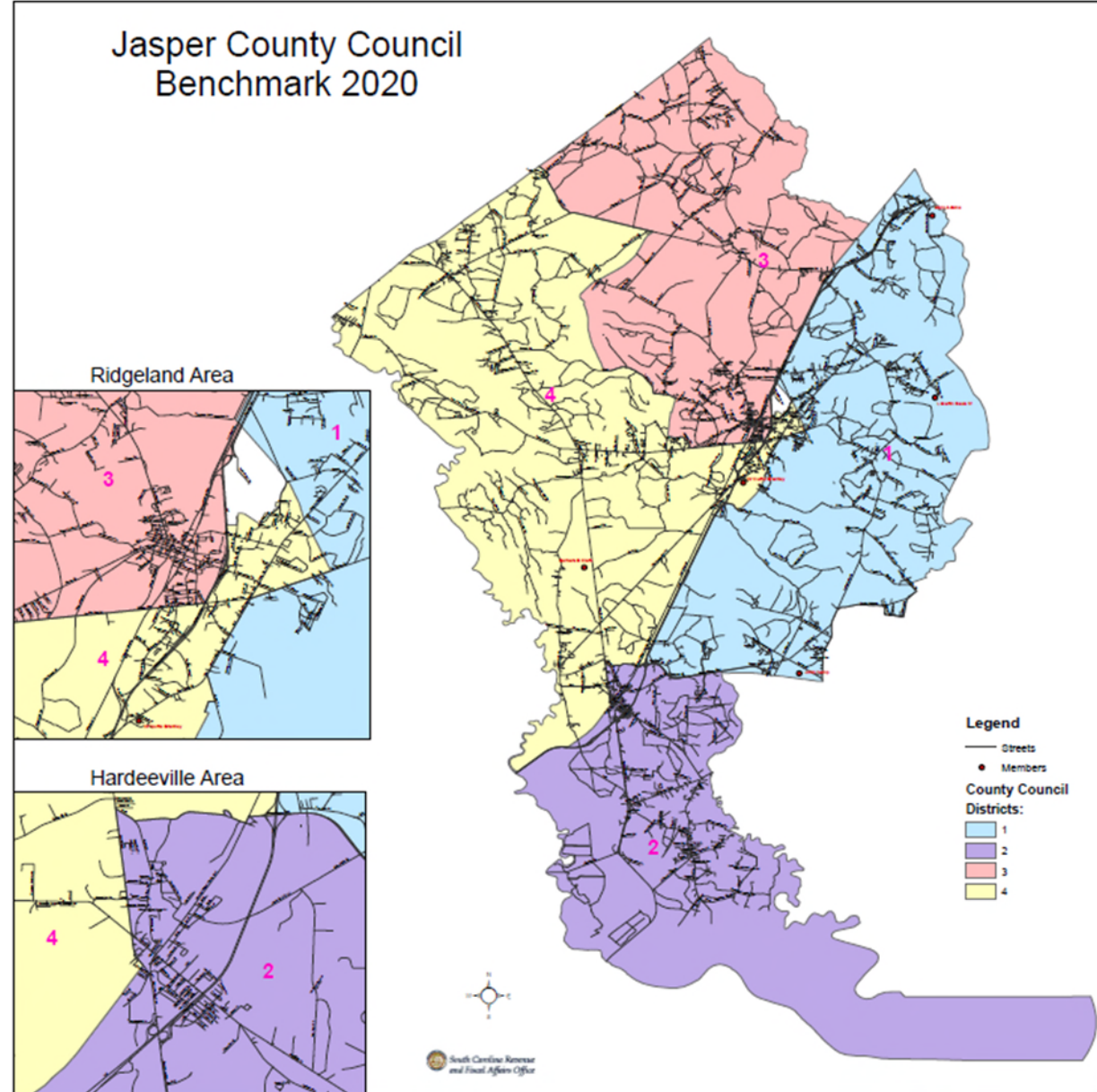


TABLE 2: TOTAL POPULATION BY RACE \*RACE DEFINED USING DOJ DEFINITIONS. NOT HISPANIC OR LATINO IS ABBREVIATED AS NH.

District	Total	Hispanic	% Hispanic	NH White	% NH White	NH DOJ Black*	% NH DOJ Black	NH Other Race	% NH Other Race
1	10,512	1,309	12.45%	6,321	60.13%	2,614	24.87%	268	2.55%
2	6,157	1,810	29.40%	1,952	31.70%	2,184	35.47%	211	3.43%
3	5,850	901	15.40%	3,112	53.20%	1,655	28.29%	182	3.11%
4	5,345	1,020	19.08%	1,442	26.98%	2,716	50.81%	167	3.12%
<b>Total</b>	<b>27,864</b>	<b>5,040</b>	<b>18.09%</b>	<b>12,827</b>	<b>46.03%</b>	<b>9,169</b>	<b>32.91%</b>	<b>828</b>	<b>2.97%</b>
Tract 950203, Block 4009 population of 927 housed at Ridgeland was removed from this analysis									

TABLE 3: VOTING AGE POPULATION BY RACE \*RACE DEFINED USING DOJ DEFINITIONS. NOT HISPANIC OR LATINO IS ABBREVIATED AS NH.

District	Total VAP	Hispanic VAP	% Hispanic VAP	NH White VAP	% NH White VAP	NH DOJ Black* VAP	% NH DOJ Black VAP	NH Other Race VAP	% NH Other Race VAP
1	9,012	911	10.11%	5,882	65.27%	1,996	22.15%	223	2.47%
2	4,614	1,124	24.36%	1,698	36.80%	1,641	35.57%	151	3.27%
3	4,522	561	12.41%	2,603	57.56%	1,224	27.07%	134	2.96%
4	4,027	608	15.10%	1,204	29.90%	2,086	51.80%	129	3.20%
<b>Total</b>	<b>22,175</b>	<b>3,204</b>	<b>14.45%</b>	<b>11,387</b>	<b>51.35%</b>	<b>6,947</b>	<b>31.33%</b>	<b>637</b>	<b>2.87%</b>
Tract 950203, Block 4009 population of 927 housed at Ridgeland was removed from this analysis									

**RFA ANALYSIS RESULTS:**

Preliminary results of our analysis indicate there does appear to be racially polarized voting in Jasper County but more time is needed prior to making a recommendation.

Voting data was analyzed to determine compliance with Section 2 of the Voting Rights Act.

- The results of the analysis are not absolute due to the limitations of the data; therefore, conclusions are to be used only as a precautionary measure.
- The following techniques were used:
  - Bivariate Ecological Regression Analysis (Appendix C) - This technique focuses on two aggregate variables and the relationship between them.

**RFA RECOMMENDATIONS:**

- RFA requests Council conduct a public meeting to discuss this report and solicit feedback from the public.
- RFA recommends Council adopt, through either a resolution or acceptance of this plan, the following traditional redistricting principles:
  - Districts or wards will be drawn contiguously, so that all parts of the district or ward are connected to each other.
  - Districts or wards will be drawn to minimize the division of voting precincts.
  - Districts or wards will be geographically compact to the extent practicable, such that nearby areas of population are not bypassed for a more distant population.
  - Districts or wards will be drawn to comply with other applicable court decisions and federal and state laws.
  - Districts or wards will be drawn, when feasible, with respect to existing districts and communities of interests, which will require input from Council and the citizens.
- RFA recommends Council consider excluding prison population when redrawing the districts.
- RFA recommends Council give careful consideration to minority districts for compliance with Section 2 criteria of the Voting Rights Act.
- Because of the potential effects of differential privacy, RFA recommends Council adopt a deviation range of 5%.

APPENDIX A – POPULATION TREND (INCLUDES PRISON POPULATION)

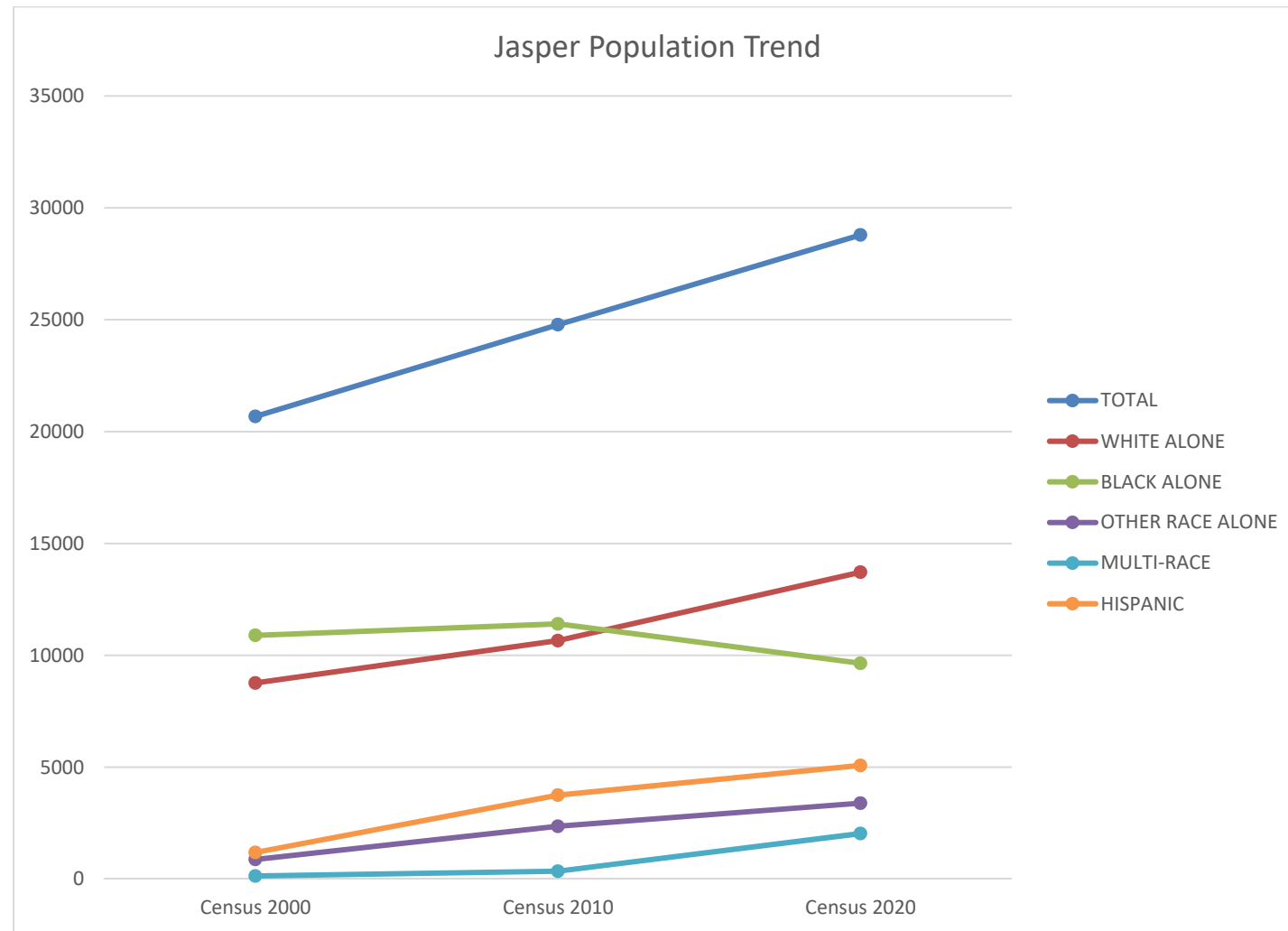
TABLE A-1 PERCENT CHANGE FROM 2010 TO 2020 BY DETAILED RACE CATEGORIES

DOJ Definitions*																										
County	Year	Total Pop	White Alone	Percent of Total	Black Alone	Percent of Total	Other Single Race	Percent of Total	Multiple Race	Percent of Total	Hispanic or Latino Population	Percent of Total	Non-Hispanic White*	Percent of Total	Non-Hispanic Black*	Percent of Total	Non-Hispanic American Indian and Alaska Native*	Percent of Total	Non-Hispanic Asian*	Percent of Total	Non-Hispanic Native Hawaiian and Other Pacific Islander*	Percent of Total	Non-Hispanic Other Race*	Percent of Total	Non-Hispanic Multiple Race*	Percent of Total
JASPER	2010	24,777	10,658	43.02%	11,406	46.03%	2,361	9.53%	352	1.42%	3,752	15.14%	9,263	37.39%	11,401	46.01%	88	0.36%	182	0.73%	8	0.03%	27	0.11%	56	0.23%
JASPER	2020	28,791	13,715	47.64%	9,645	33.50%	3,395	11.79%	2,036	7.07%	5,079	17.64%	13,056	45.35%	9,823	34.12%	287	1.00%	232	0.81%	26	0.09%	186	0.65%	102	0.35%
Percent Change		16.20%	28.68%		-15.44%		43.80%		478.41%		35.37%		40.95%		-13.84%		226.14%		27.47%		225.00%		588.89%		82.14%	

TABLE A-2 PERCENT CHANGE FROM 2010 TO 2020 BY SINGLE RACE CATEGORIES

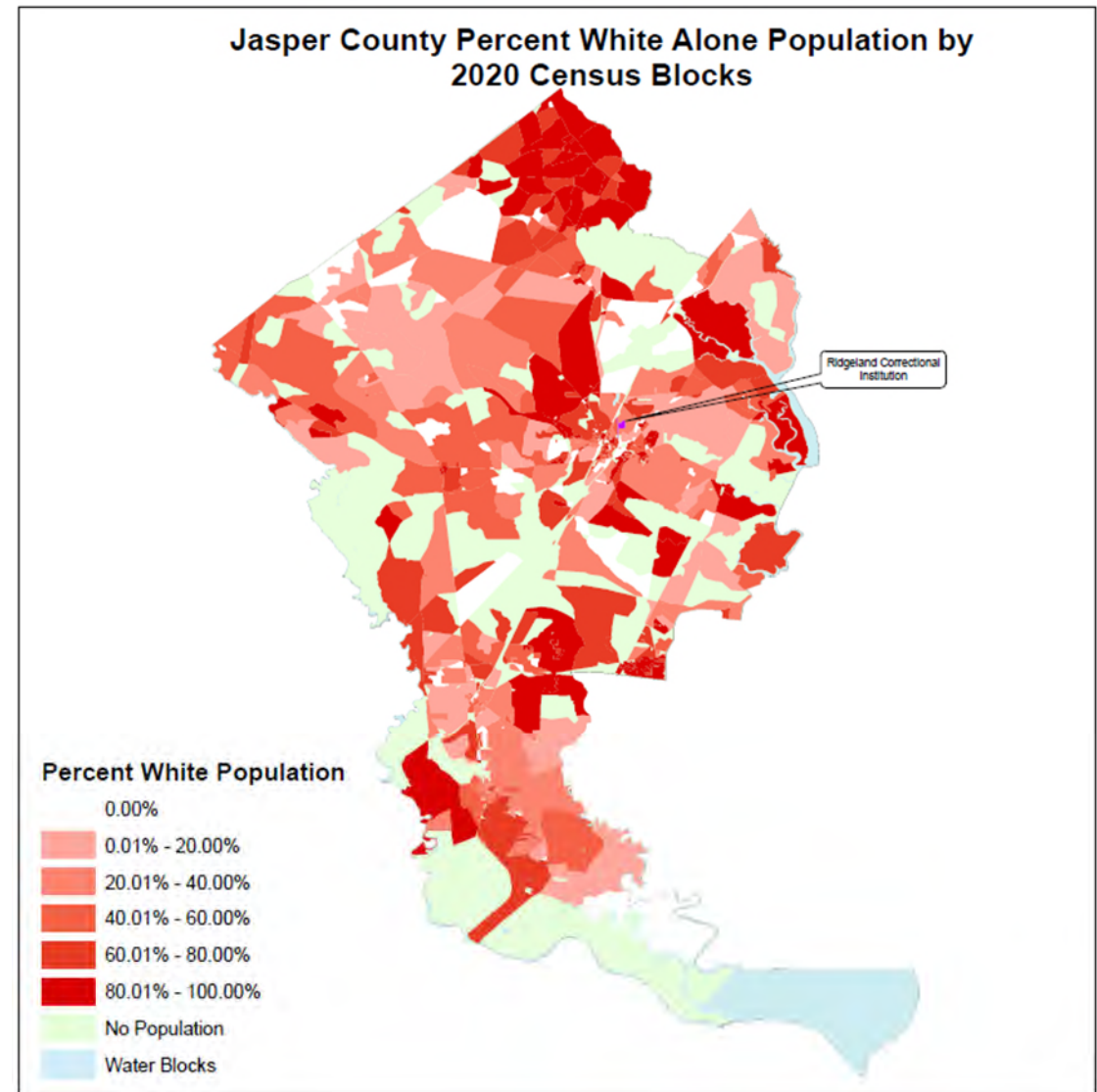
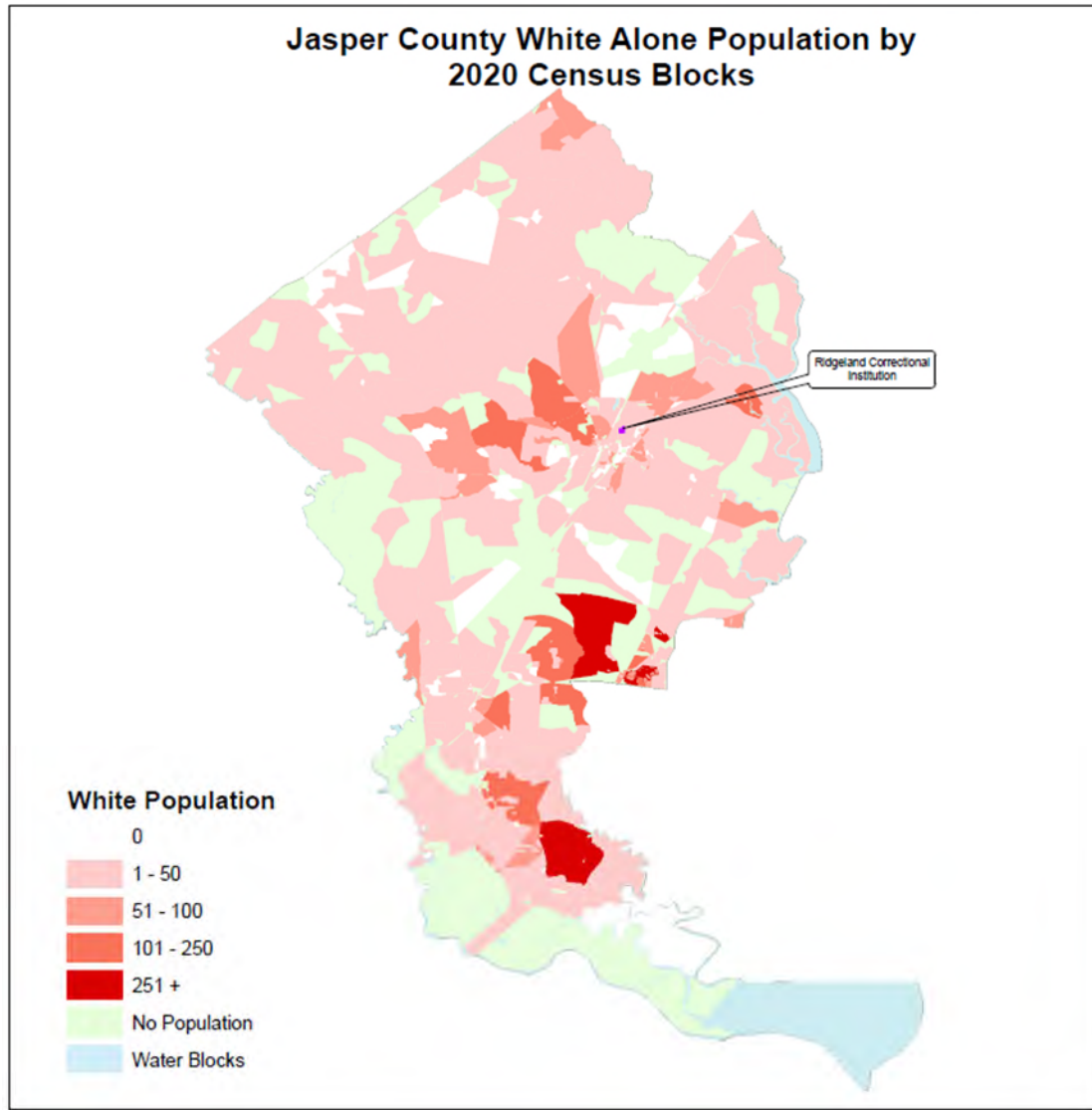
County	Year	Total Population	White Alone	Percent of Total	Black Alone	Percent of Total	Other Single Race	Percent of Total	Multiple Race	Percent of Total
JASPER	2010	24,777	10,658	43.02%	11,406	46.03%	2,361	9.53%	352	1.42%
JASPER	2020	28,791	13,715	47.64%	9,645	33.50%	3,395	11.79%	2,036	7.07%
Percent Change		16.20%	28.68%		-15.44%		43.80%		478.41%	

CHART A-1 POPULATION TREND BY SINGLE RACE, 2000 - 2020

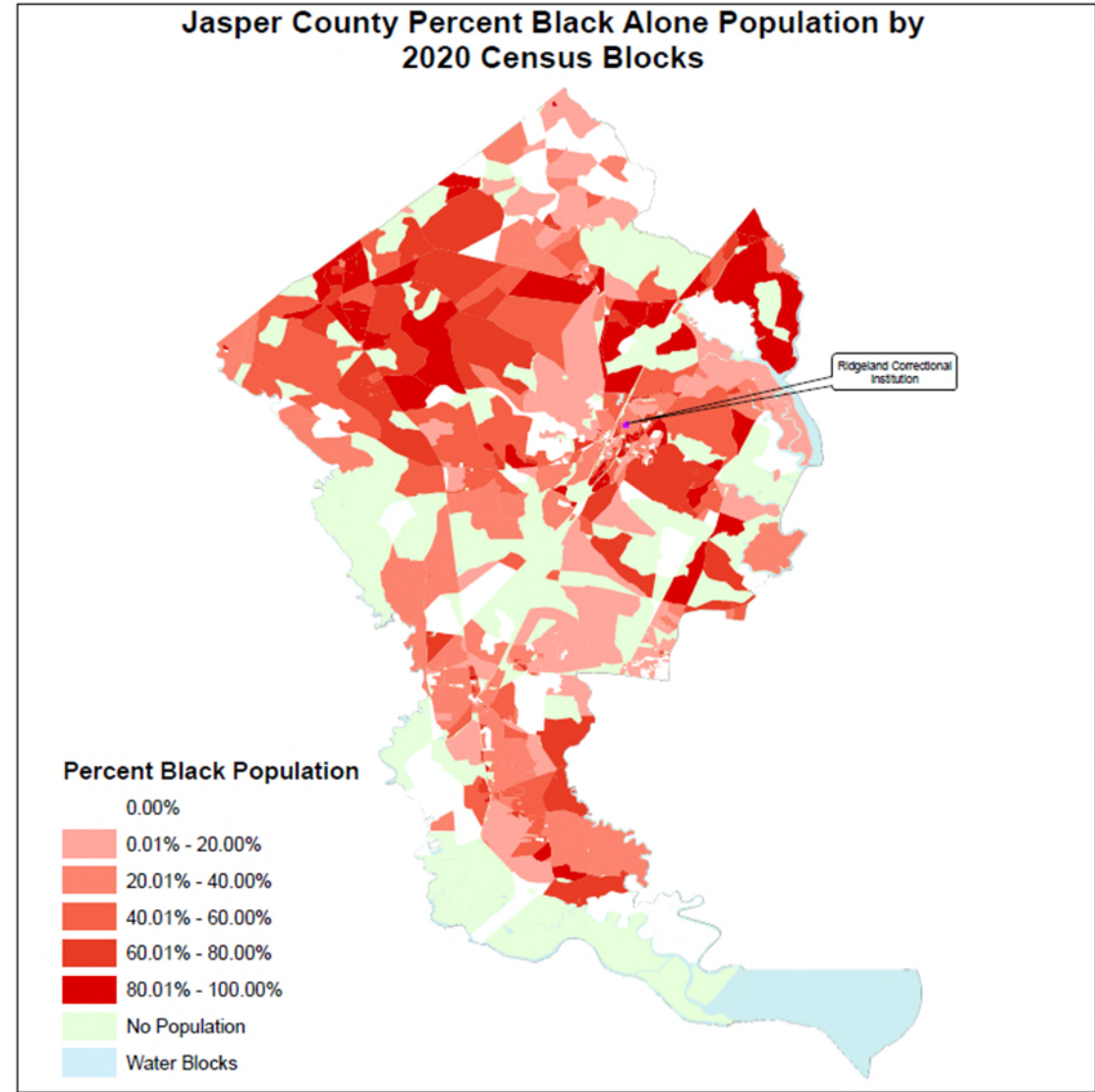
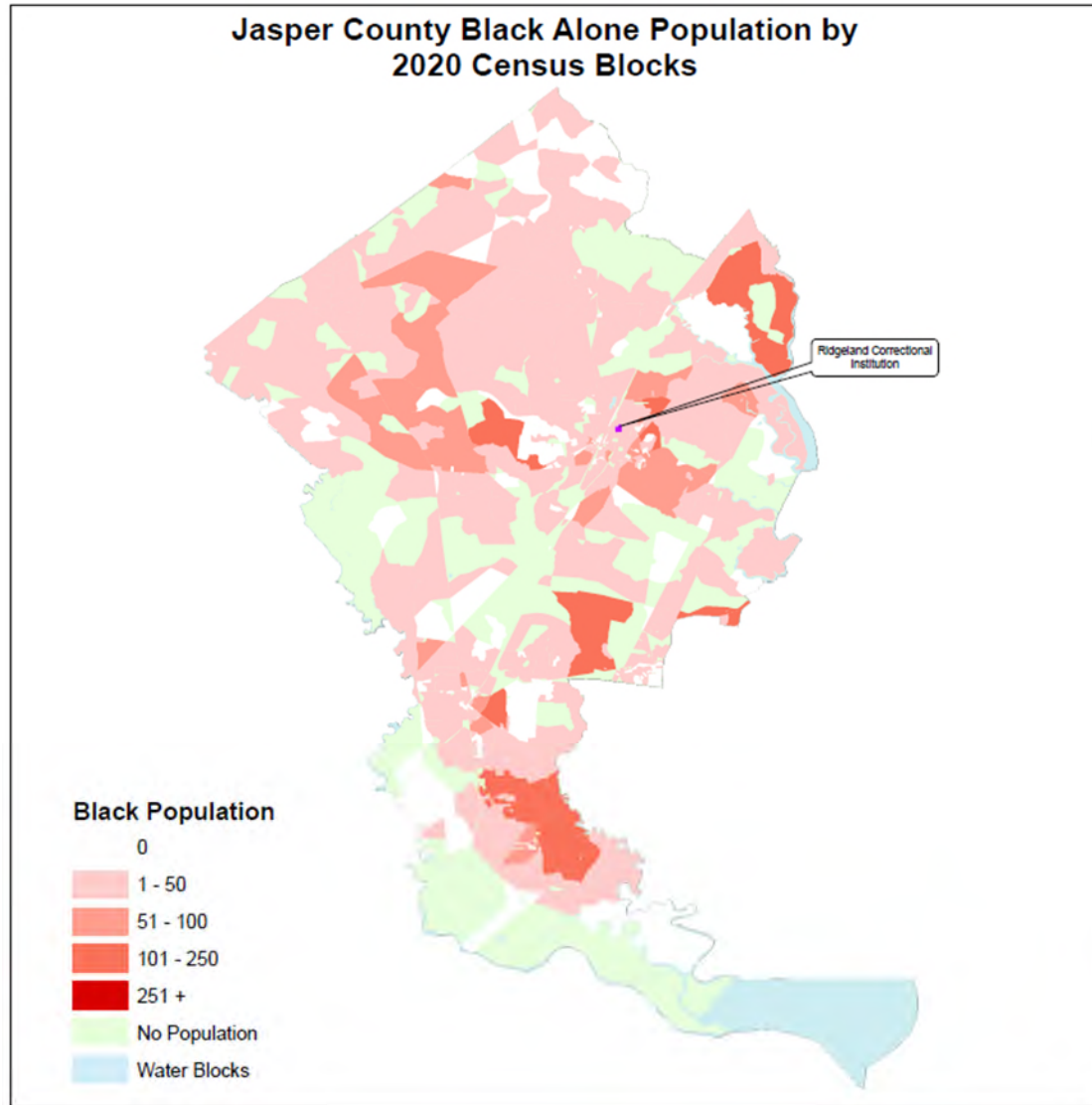


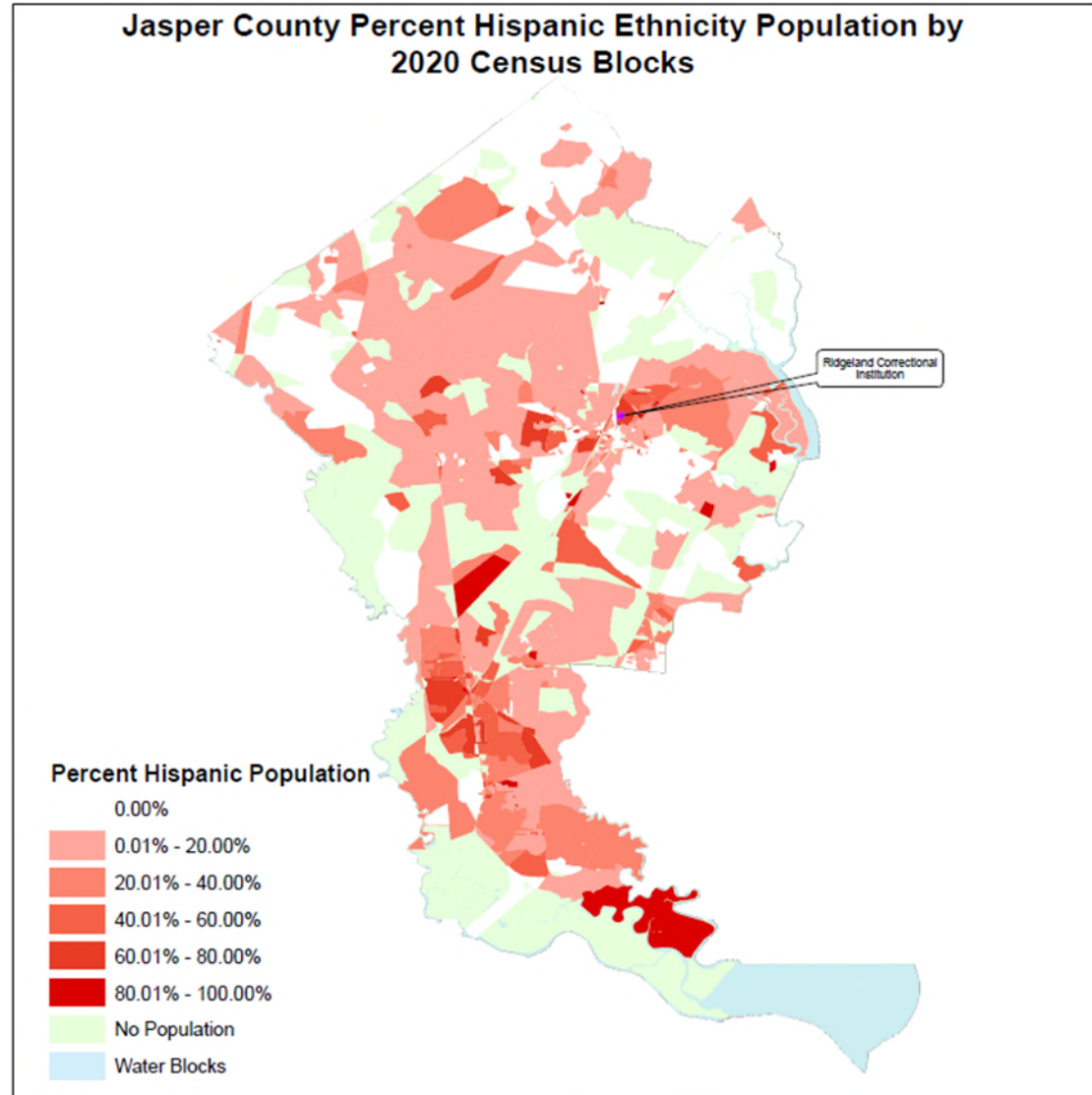
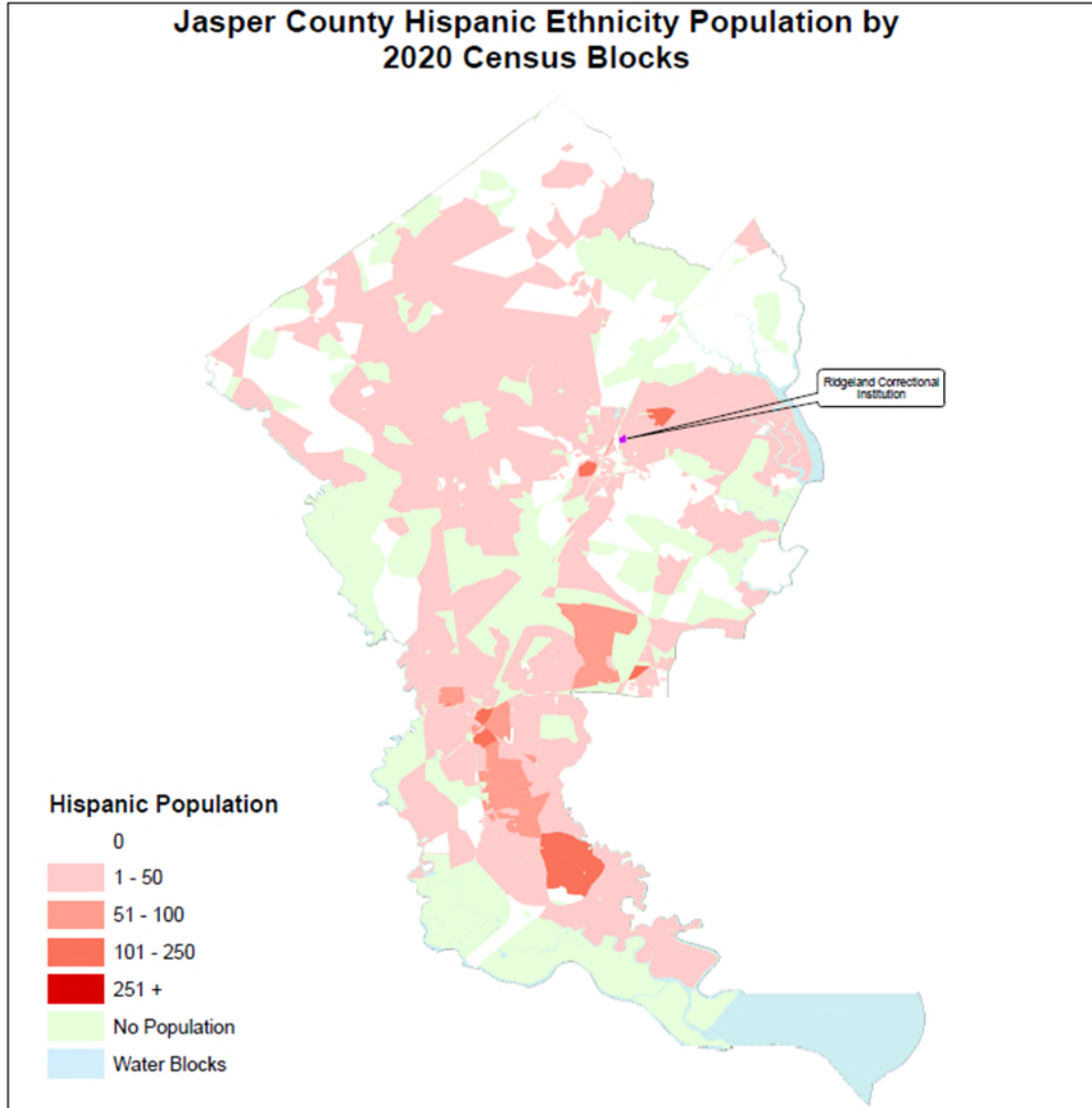
APPENDIX B - MAPS BY SINGLE RACE CATEGORIES (CORRESPONDS WITH TABLE A-2)

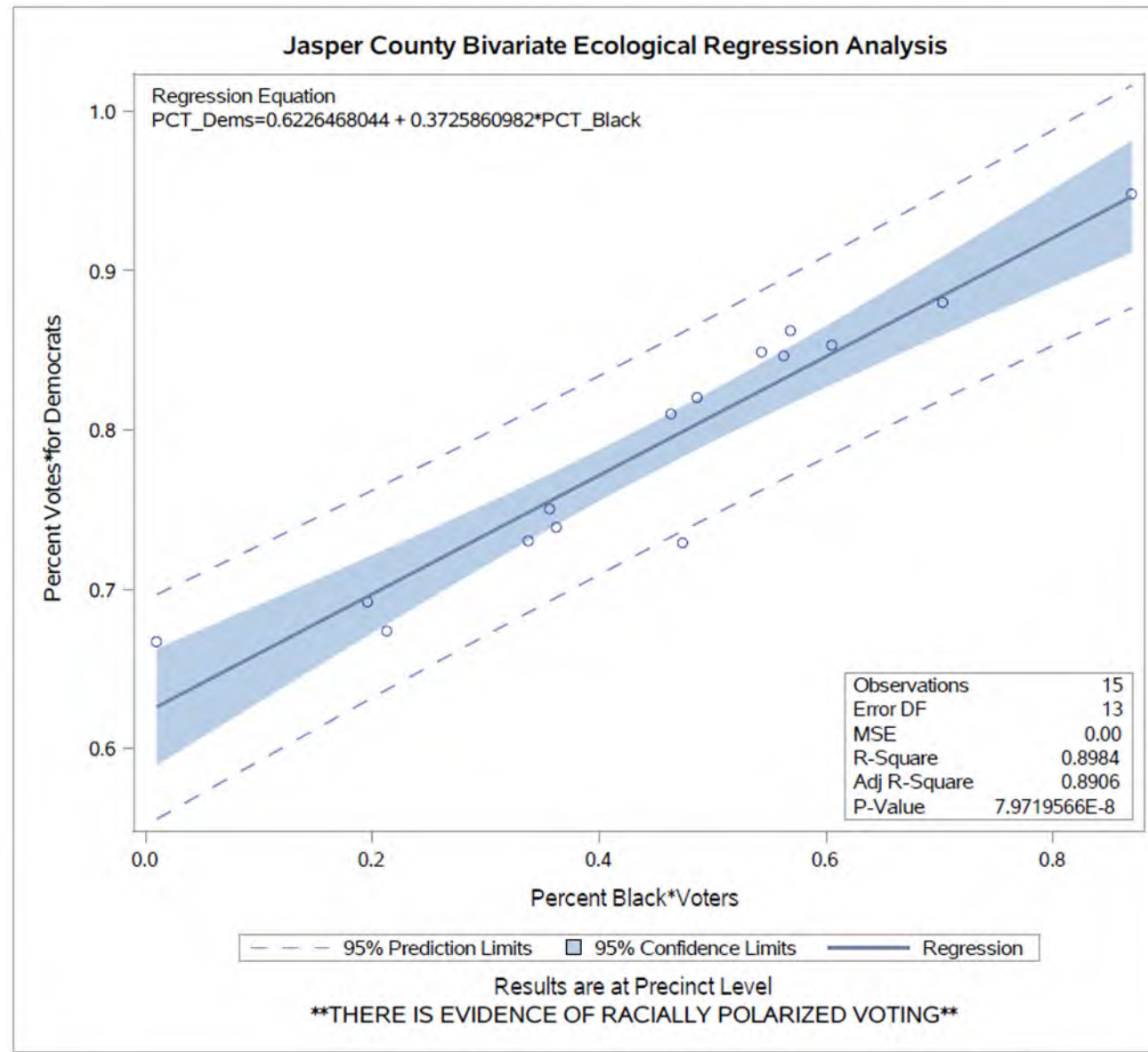
MAPS BY SINGLE RACE CATEGORY - WHITE



MAPS BY SINGLE RACE CATEGORY - BLACK

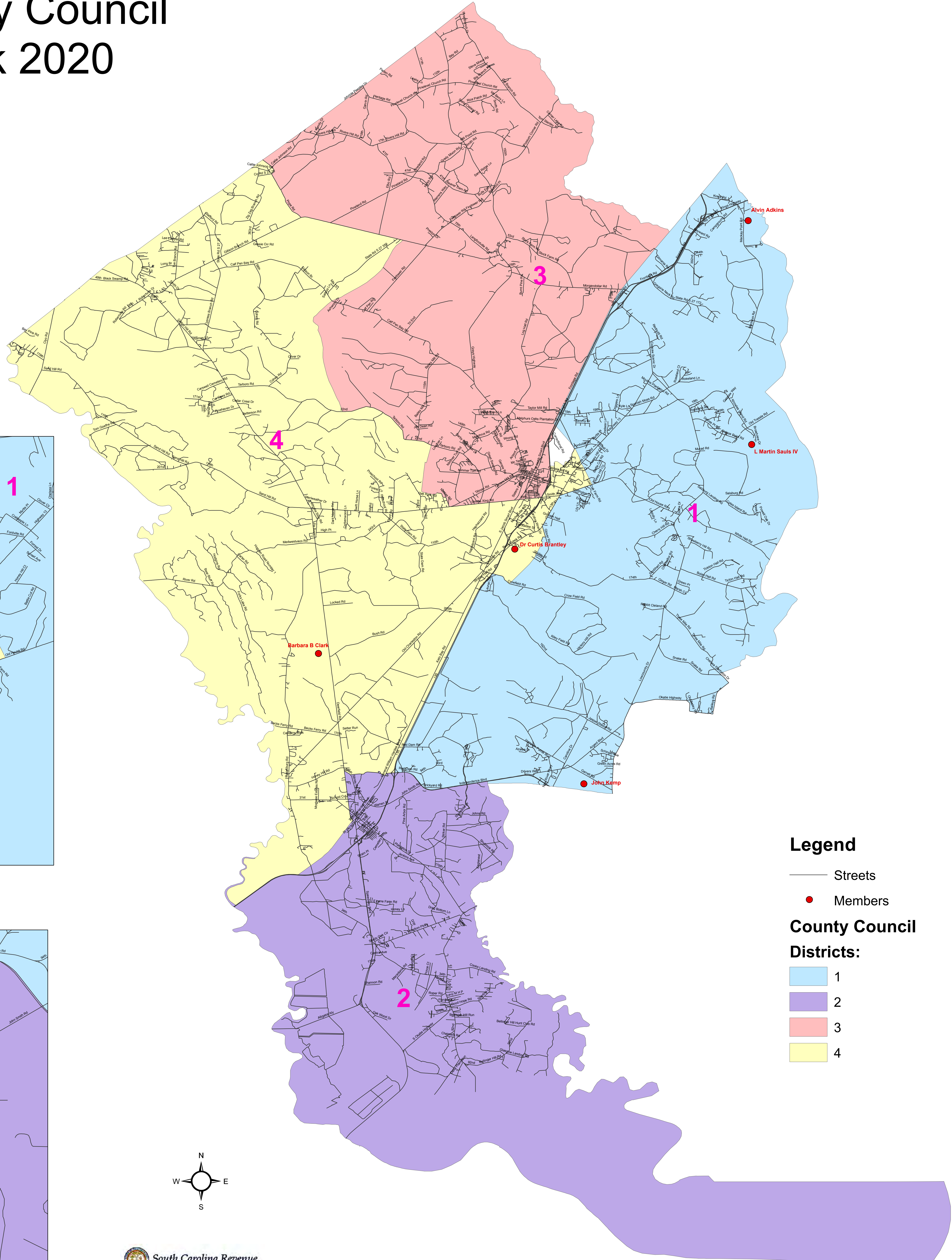




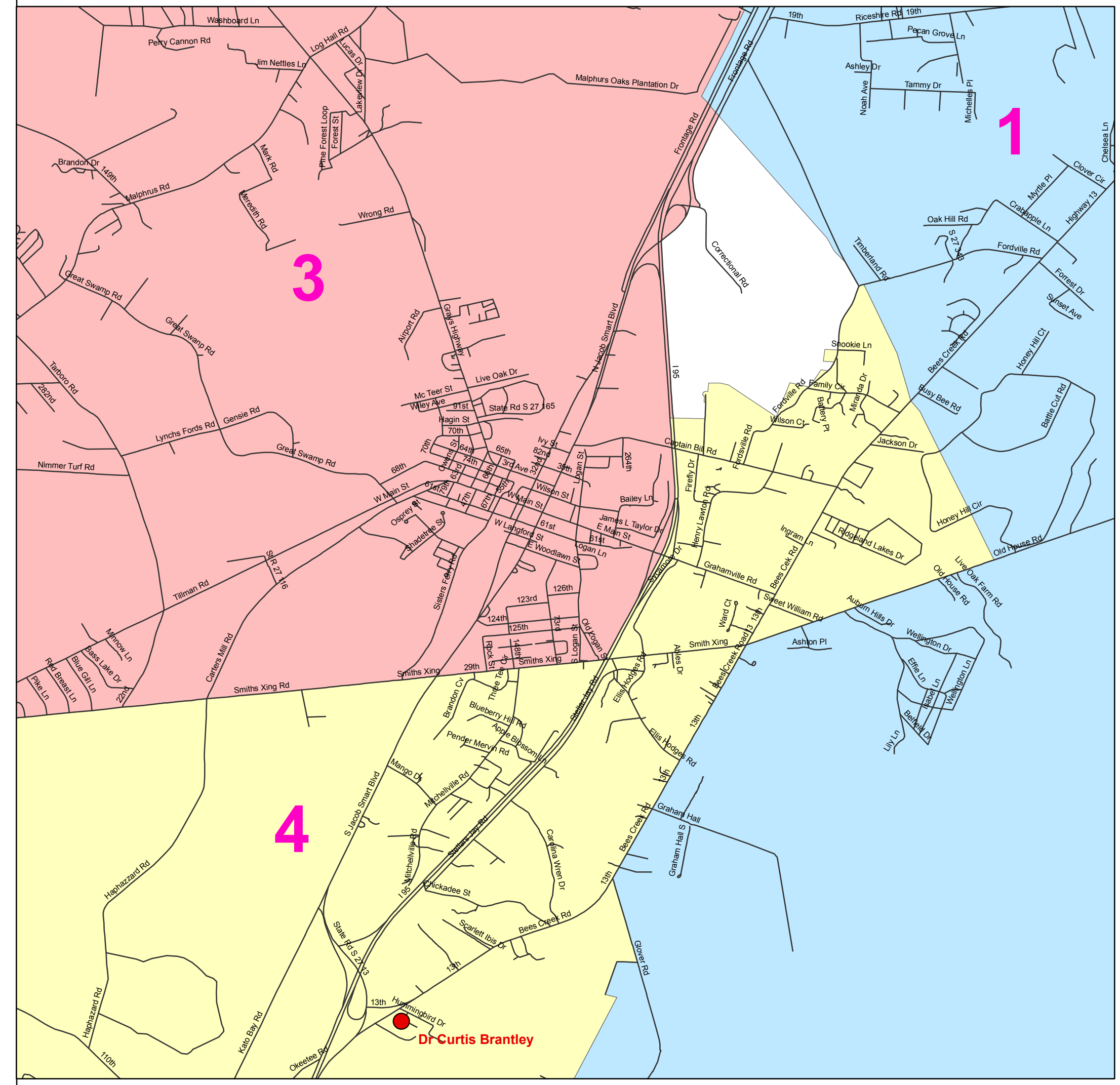


# EXHIBIT 2

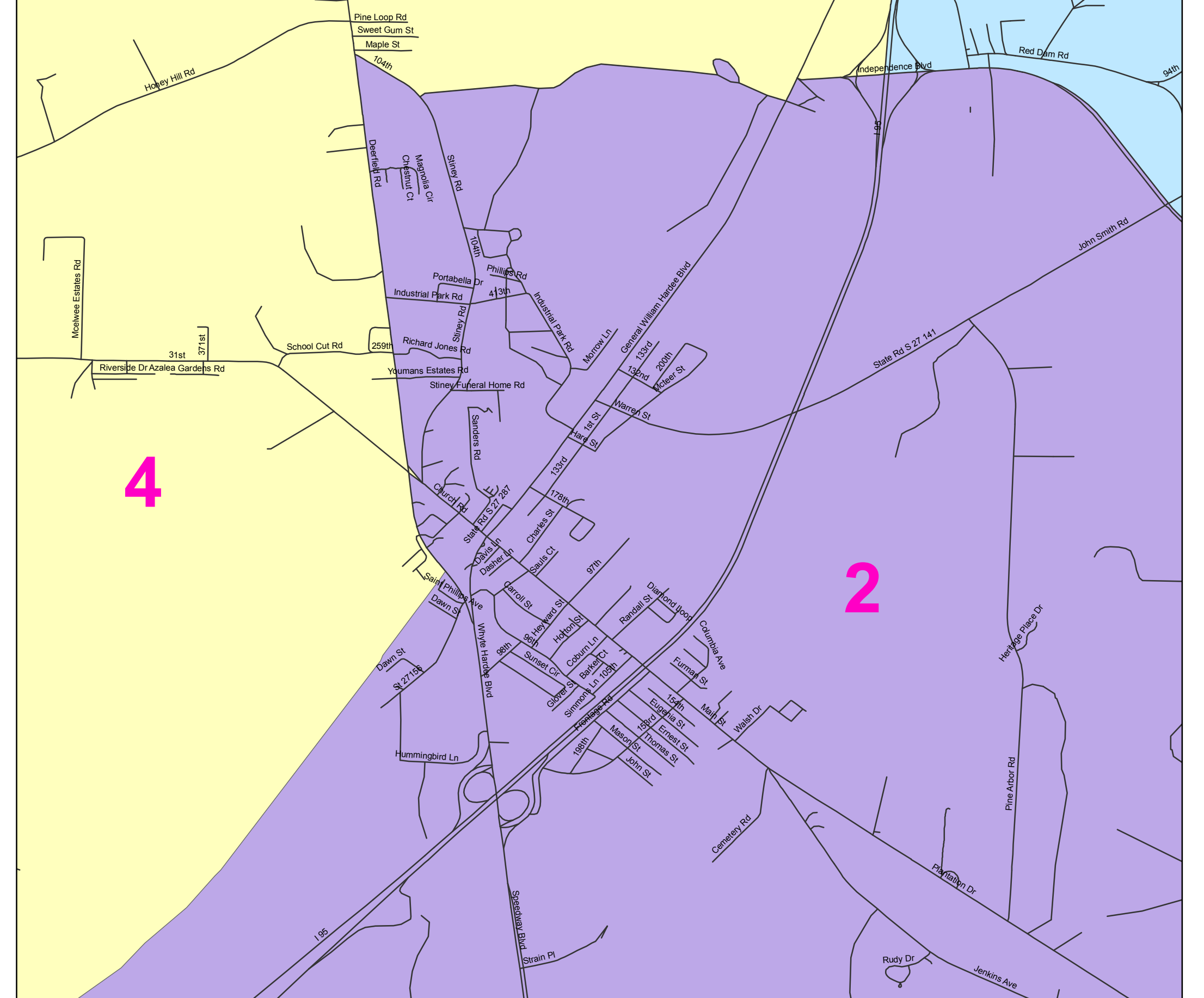
# Jasper County Council Benchmark 2020



Ridgeland Area



Hardeeville Area

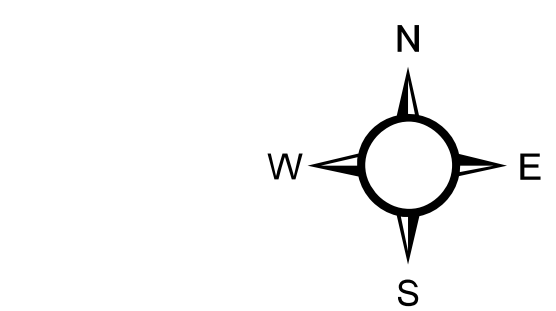


**Legend**

- Streets
- Members

**County Council Districts:**

- 1
- 2
- 3
- 4



# EXHIBIT 3

# Jasper County Redistricting RFA Draft (Jan 12, 2022)

• Incumbents

□ Current Council Districts

## Jasper\_Draft\_Blocks

district

□ Prison

□ 1

□ 2

□ 3

□ 4

