

# SOUTH CAROLINA

## PROGRAM

In South Carolina, Columbia served as the site of the Election Protection state command center, supported by a second field command center in Charleston. Election Protection volunteers monitored polling places in Richland, Lexington, Sumter, Charleston, Horry, and Berkeley counties.

Key problems arising in the period leading up to and on Election Day in South Carolina included photo identification concerns, voting machine shortages and malfunction and the resulting long lines, as well as a lack of proper disability access.

## BEFORE ELECTION DAY

### *South Carolina's New Photo Identification Law*

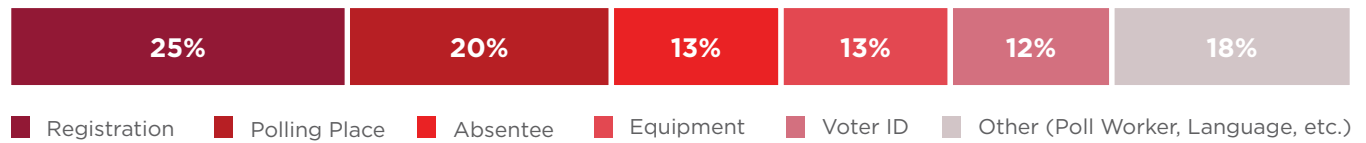
In the months leading up to Election Day, Election Protection attorneys were involved in litigation over the passage of a new, stricter voter identification law in South Carolina. While voter identification was already required for all voters in South Carolina, the new law would have required photo identification, and would not allow voters to use their non-photo voter identification cards at the polls.

South Carolina is covered by Section 5 of the Voting Rights Act. Consequently, the state is required to submit any changes in election law to the Department of Justice for preclearance or file a lawsuit in Federal Court in Washington, D.C. seeking preclearance. To obtain preclearance, the covered jurisdiction must demonstrate that the new law neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race, color or membership in a language minority group. The law was denied preclearance by the Department of Justice, and South Carolina sued the department in federal court.

While the litigation was pending, South Carolina made a number of changes in how the state proposed to implement the new law, including provisions allowing exceptions for individuals who sign an affidavit setting forth the reason they have not obtained a photo ID. Less than one month before Election Day, the court ruled that the law, as South Carolina

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## 2012 VOTING PROBLEMS IN SOUTH CAROLINA



proposed to implement it, was not discriminatory. However, the court did prevent the law from being implemented until 2013, underscoring the “potential for chaos” in changing the requirements for identification so soon before the Election. While the Election Protection Hotline did receive questions about voter identification requirements from South Carolina callers, there were no major reports of individuals being asked for photo identification when it should not have been required.

### ELECTION DAY

#### *Voting Machine Problems and Long Lines*

Problems with long lines, sometimes as long as seven hours at some precincts, were reported by voters, Election Protection field volunteers, and Coalition partners.

Long lines in South Carolina were caused by machine shortages, machine breakdowns, and high voter turnout. According to reports, Richland County had, by far, the most significant problems with machines and long lines. As a result, the certification of the Richland County election results was significantly delayed, and the local legislative delegation held a hearing to investigate the reasons for the long lines. Election Protection also had reports of similar machine and wait time issues in Spartanburg, Greenville, Charleston, Horry, Berkley, Kershaw, and Sumter Counties. There were a total of 65 reports related to polling place problems on Election Day. At the Joseph Keels Elementary School, there were only 5 voting machines, and voters were waiting in line for as long as 6 hours. Some of these voters left the polling location in frustration, without having voted. With each instance of long lines in the state, Election Protection volunteers encouraged voters to remain in line, and ensured that election officials were aware of the problems.

These issues must be addressed going forward. Voting machines have been a problem in the past in South Carolina, and Election Protection is hopeful that this November’s difficulties will serve as the impetus for an evaluation of the voting machines and the voting process across the state.

### *Disability Access*

In South Carolina, polling places are required to provide curbside access and other reasonable accommodations for disabled voters. However, Election Protection received reports that many polling locations were unable to provide curbside voting due to long lines and understaffing. One voter mentioned that she asked the poll workers to allow her to vote curbside, but they refused her request.

In response to the reported deficiencies, Election Protection coalition partners contacted election officials to make them aware of areas where disability access was insufficient. Voters who were unable to vote curbside were encouraged to return to the polling location and then report back to Election Protection. Coalition partners will be following up with election officials to ensure that proper accommodations are provided for disabled voters in these areas in the future.