

Cross Hill Neighborhood Association Report

The Office of the Governor, State of South Carolina, requested the State Election Commission (SEC) to review concerns raised by the Cross Hill Neighborhood Association (CHNA) in Columbia, South Carolina, a part of the voting precinct known as Ward 17. At issue was the concern that voters in this precinct were not adequately notified of the polling location change from Brennen Elementary to Midlands Tech for the City of Columbia City Council election on November 7, 2023. It was noted that some residents received postal cards indicating the polling location change the day before the election, while others received them on or after the election day. Additionally, while some voters saw no signage at Brennen Elementary School notifying voters of the change, one observed a very small sign by the flagpole in the bushes indicating the polling place change; a location that seemed intentionally placed to go unnoticed.

The information and evidence in this review was collected through collaboration with multiple entities, including sources and documentation from the City of Columbia, the Voter Registration and Elections Office of Richland County, Richland County School District One, Brennen Elementary School, and an external printing vendor.

Findings

The Voter Registration and Elections Office of Richland County (office) appears to have met the statutory requirement to inform voters of Ward 17 of the polling location change from Brennen Elementary to Midlands Tech via mailed change of polling location postal cards. According to a source, however, the office did not post the change of polling location signage at Brennen Elementary on or next to the door, as required by law.

The office was responsible for conducting the City of Columbia City Council election that occurred on November 7, 2023, pursuant to S.C. Code §5-15-145(A). This legal provision allows the county office to assume authority for municipal elections, with subsection (B) further specifying the conditions and procedures for such transitions. The delegation of authority is contingent on agreement by both the municipality and county governing bodies and the enactment of municipal ordinances. While there was conflicting information regarding a specific agreement detailing this transfer, sources and documentation indicate that the office consistently manages municipal elections on behalf of the City of Columbia. This includes tasks related to coordinating precincts and polling locations and obtaining and training poll workers, with associated expenses covered by the city.

For this election, sources indicated that the office made the decision to relocate the Brennen Elementary polling location to Midlands Tech. Sources also stated they believed the office was avoiding the use of schools as polling locations, particularly elementary schools, due to the security of children at the schools on election day. The findings indicate that this change in polling locations was not limited to Ward 17 but extended to other precincts within Richland County.

S.C. Code §§7-7-10 and 7-7-15 set the criteria for notifying residents about polling location changes. The relevance of Title 7 in this context arises due to the lack of specific provisions in Title 5 regarding polling locations changes, prompting the application of S.C. Code §§7-7-10 and 7-7-15. S.C. Code §5-15-10 specifies that municipal primary, general, and special elections shall be conducted pursuant to Title 7, except where chapters 1 through 17 of Title 5 provide contrary provisions. In this case, these chapters did not provide contrary provisions.

As stated in S.C. Code §7-7-10, a voter must be notified in writing regarding his transfer to a new polling place, including details about the new location. In this context, “in writing” typically implies a personally addressed communication. According to multiple sources, change of polling location postal cards were mailed to voters of Ward 17 on Friday, November 3, 2023, through a printing vendor.

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The CHNA noted that some voters received this postal card by Monday, November 6th, while others stated they received them on or after the election day. We were unable to confirm the exact date the card was mailed, as the cards were not postmarked.

Alongside this requirement, S.C. Code §7-7-15 mandates that the responsible entity must post a notice on or next to the door of the entrance of the previous polling place during the first election held after the change. The notice must contain information about the new polling place, including the location, address, and telephone number of the entity overseeing the election. The text should be printed with letters large enough to be easily read by a person with normal vision from a distance of at least twenty feet. Multiple sources confirmed that signs were placed at Brennen Elementary indicating the relocation to Midlands Tech. A source stated that one sign was posted near the parking lot and the other approximately 15 yards to the right of the main entrance. Despite the signage, the office did not appear to post a notice on or next to the entrance, as required by law. There were also concerns about the font size meeting the statutory visual standards. Below is a picture of the signage posted at Brennen Elementary.

It should be noted that there were additional communication efforts regarding the change in polling location, including the City of Columbia website press releases on October 25, 2023, and November 6, 2023. The office also stated that the information was also available on their website. However, since the site was updated for the upcoming January 2, 2023, election, we were unable to verify this. Additionally, several media posts were published on November 6, 2023, noting the polling location changes.



Source:
Voter Registration and Elections Office of Richland County,
taken 12/12/2023.