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March 18, 2014

Leah C. Aden, Esquire  
Assistant Counsel  
NAACP Legal Defense and Educational Fund  
40 Rector Street, 5<sup>th</sup> Floor  
New York, NY 10006-1738

Re: *City of Beaufort–Newspaper article*

Dear Ms Aden:

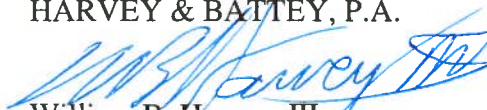
After our letter of March 10 in which we again requested that you provide copies of the map(s) which reference the districts alluded to in your February 19 letter, your local Branch President Darryl Murphy was interviewed by the local newspaper. Attached is the article, in which Mr. Murphy is quoted as stating “that won’t happen.”

As I earlier stated, it is necessary that Beaufort City Council has a full analysis and understanding of the various options before deciding whether to commit this issue to a referendum. If your organization is unable or unwilling to fully share whatever information that you have, it is difficult for Council to make this analysis.

We would like to avoid this matter escalating to the point of litigation. However, as you know, if we do get into litigation, the Federal Court is probably going to turn to the State Demographer to fashion an acceptable plan. In an effort to move this discussion forward, I am suggesting that we (the NAACP and the City) jointly make a request to the South Carolina State Demographer to determine a plan that will satisfy the legal requirements.

If you are willing to make this request, please let me know. If you are willing to share whatever plan(s) and other information you already have, we reiterate that request. Please call me if you wish to discuss this further, or if you have any questions. Thank you for your cooperation.

Very truly yours,  
HARVEY & BATTEY, P.A.



William B. Harvey, III  
Beaufort City Attorney

WBHIII/lpb

cc: Scott Dadson, City Manager  
Mayor and Council

# NAACP battles city on districts

Group pushes Beaufort to end at-large elections for council seats and adopt single-member districts.

By ERIN MOODY  
emoody@beaufortgazette.com  
843-706-8184

Darryl Murphy is not comfortable with what he saw Tuesday night at Beaufort City Council's meeting: "an entire council of all-white faces, and I live in a county where 26 percent of residents are African-American."

Murphy is president of the Burton-Dale-Beaufort NAACP branch. He is working with the NAACP Legal Defense and Education Fund to push the city to end at-large elections for council seats and adopt single-member districts, which he believes would improve the chances of a minority winning a seat.

"We feel like we have taxation without

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## NAACP

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representation," Murphy said.

The last two black council members were Fred Washington Jr., who served from 1979 to 1993, and Alice Wright, from 1982 to 1987. Washington and others could only think of three black candidates since his term ended.

The NAACP and city attorney Bill Harvey have been trading

letters since November. The city's most recent response, dated March 11, asks the NAACP to provide examples of districts that would meet the organization's goal.

Murphy said that won't happen.

"If we propose the map, the city may very well just not give it any kind of support as far as discussion," he said. "... I don't think it would be something they would be very receptive of."

The NAACP maintains it's possible to draw either four or six districts in which one contains a majority of black voters.

The mayor would still be elected at large. City officials say they see no way to draw a contiguous district with a black majority.

Mayor Billy Keyserling is among those who are skeptical

that a majority-black district could be created that meets other legal requirements, but he said Tuesday he remains open-minded to suggestions from the NAACP.

Even were it inclined to do so, City Council could not adopt districts on its own. "Such a change would require approval from voters in a citywide referendum, according to letters

from both the NAACP and Harvey.

However, City Council has the authority to put the referendum on a ballot.

"It is necessary that Council has a full analysis and understanding of the various options before deciding whether to commit this issue to a referendum," Harvey wrote.

Murphy said the local NAACP

will meet with the national organization's Legal Defense and Education Fund this week to figure out its next steps. He says he won't back down.

"We're going to take this until it's done, until we get single-member districts and representation," he said.

Follow reporter Erin Moody at [twitter.com/IPBG\\_Erin](https://twitter.com/IPBG_Erin).