



BOARD OF VOTER REGISTRATION and ELECTIONS OF BEAUFORT COUNTY



15 John Galt Road • Post Office Drawer 1228 • Beaufort, South Carolina 29901-1228

Meeting Agenda

March 23, 2016
2:00 PM

Meeting Type: Monthly Board Meeting

Location: Voter Registration and Elections Department Conference Rm.
15 John Galt Rd, Beaufort, SC 29906

- I. Call to Order Followed by Pledge of Allegiance
- II. Public Comments (Please limit comments to 5 minutes)
- III. Board Member Oath / Introduction of New Board Member
- IV. Minutes – Deferred
- V. Unfinished Business
 - a. Temporary Change of Board Meeting Dates and Locations
- VI. Committee Reports
 - a. Finance
- VII. New Business
 - a. Board Member Terms Update
 - b. Committee Assignments
- VIII. Director's Report
- IX. Closing Comments
- X. Announcements
 - a. Reminder – Ethics Forms Due Before March 30, 2016
 - b. Next Board Meeting
 - i. Tentatively – Wednesday, April 27, 2016 2:00 pm
Executive Conference Room, 100 Ribaut Road, Beaufort, SC
29902
- XI. Adjourn

Tyrone S. Clifford
Chairman

William Severns
Vice Chairman

Marie S. Smalls
Director

Board Members:

William Bronson
Beverly Dore
Dean Hewitt
Philip Jones
Bruce Massey
James Rowe
Rupert Williams



BOARD OF VOTER REGISTRATION
and ELECTIONS OF BEAUFORT COUNTY



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15 John Galt Road • Post Office Drawer 1228 • Beaufort, South Carolina 29901-

**Minutes from the March 23, 2016 Board meeting of the Board of
Voter Registration and Elections of Beaufort County
15 John Galt Rd, Beaufort, SC**

BOARD MEMBERS PRESENT

Tyrone S. Clifford, Chairman
William Severns, Vice-Chairman
William Bronson
Beverly Dore

Dean Hewitt
Philip Jones
Bruce Massey
Rupert Williams

BOARD MEMBERS ABSENT

James Rowe

STAFF MEMBERS PRESENT

Marie S. Smalls, Director
Wendell Roberson, Sr., Deputy Director
Kristina Weitz, Secretary

PUBLIC PRESENT

None

CALL TO ORDER

Mr. Clifford called the canvass hearing to order at 10:00 am and then led the Pledge of Allegiance.

REVIEW OF MINUTES

The Board minutes for February 4, 2016 were deferred.

UNFINISHED BUSINESS

Temporary Change of Board Meeting Dates and Locations

The Board discussed the location date and times for the 2016 meetings. The Engineering Department Conference Room was no longer available for meetings due to the room being revised for another department's office, thus creating the need for a new location and possibly new dates and times. After discussing various dates, times and location, the Board decided on the attached schedule.

Mr. Bronson motioned to have the Board meetings as listed on the schedule with the Board able to amend the schedule as needed. The motion was seconded by Mrs. Dore. It was voted upon and passed unanimously.

The next scheduled Board meeting would be after the 10 am Canvass Hearing on May 5, 2016 for the Hilton Head Ward 3 Special Election. The meetings would be held at our office, 15 John Galt Road, Beaufort, SC.

COMMITTEE REPORTS

Finance Committee

Mr. Hewitt briefed the Board on the Finance Committee meeting held on March 8, 2016.

Mr. Massey had motioned during the Finance Committee meeting to find an additional person to assist with the training, perhaps someone part year-seasonal or on-call.

Mr. Roberson went over the budget with the Board and answered any questions the members had.

NEW BUSINESS

Board Member Terms

Mr. Clifford stated there are numerous Board members whose terms expire within the next year or two and inquired if those members were planning on staying on the Board longer or leaving.

Mr. Hewitt and Mr. Jones stated they would be leaving at the end of this year.

Mr. Bronson and Mr. Massey said they would possibly stay on the Board.

Committee Assignments

The Board reviewed the Committee Assignments from 2015 and revised the list for 2016. A new copy of the 2016 Committee Assignments is attached at the end of these minutes.

DIRECTOR'S REPORT

Legislative Updates 2016

Mrs. Smalls briefed the Board on the Legislative Updates that was discussed at the SCARE Conference in Myrtle Beach, SC.

- Concealed Weapon permit - Photo Id (Attorney General Opinion)
- Increase pay for Poll worker (\$15 per Hour)
- Remove witness signature from ABS ballot envelope
- School Board candidate to submit a statement of candidacy rather than signed petitions. (Referred to Delegation)
- Early voting

Election Updates 2016

Town of Hilton Head Ward 3 Special Election

Mrs. Smalls informed the Board there would be a special election for the Town of Hilton Head Ward 3 seat on Tuesday, May 3, 2016. The Canvass Hearing to certify the results would be on Thursday, May 5, 2016 at 10:00 am in our office, 15 John Galt Road. If there is a run-off election, it would be held two weeks after the special election, on Tuesday, May 17, 2016 and the Canvass Hearing would be on Thursday, May 19, 2016.

There are six precincts within the Hilton Head Ward 3 district.

Precinct Name	Locations	Total Voter Reg	Board Member
HH 2A (Part)	Indigo Pines	129	Massey
HH 7B (Part)	Arts Ctr	372	Clifford
HH 8 (Temporary Location)	Christ Lutheran Church	690	Clifford
HH 9A	Tidepointe	1,348	Clifford
HH 9B	Christ Lutheran Church	1,225	Clifford
HH 10 (Part)	Spanish Wells	703	Clifford
Total		4,467	

Important Dates to Remember:

Town of Hilton Head Ward 3 Special Election

- April 21, 2016 – Briefing @ 11:00 AM – 1:00 PM
Hilton Head PSD Community Room
- May 2, 2016 – Supply Pick Up
Hilton Head Library
- May 3, 2016 – Supply Drop Off
Hilton Head Library
- May 3, 2016 – Special Election
- May 5, 2016 – Canvass Hearing @ 10:00 AM
- Deadlines:
 - April 4, 2016 Poll Workers to staff
 - April 3, 2016 Register to vote in this Election

Statewide Primaries

- May 14, 2016 – Last day to register to vote
- June 14, 2016 – Statewide Primaries
- June 18, 2016 – Canvass Hearing (Beaufort only) @ 10:00 AM
- June 28, 2016 – Run-Off Election (*If Necessary*)
- June 30, 2016 – Canvass Hearing (Beaufort only) @ 10:00 AM

2016 Statewide Offices for Candidate Filing

- US Senate
- US House
- Solicitor (14th District)
- State Senate (Districts 43, 45, & 46)
- State House (Districts 118, 120, 121, 122, 123, & 124)
- Clerk of Court
- Coroner
- County Council (Districts 1, 3, 5, & 7)

The Beaufort office would be open Sunday, March 27, 2016 from 9 am – 1 pm for candidate filing. The Bluffton office would be open Monday and Tuesday from 8 am – 5 pm and on Wednesday, March 30, 2016 from 8 am – 4 pm for candidate filing. Mrs. Smalls reminded the Board the last day to file is Noon, Wednesday, March 30, 2016. Other County Election offices and the State Election Commission would also be open Sunday, March 27, 2016 for candidate filing.

SC Association of Registrars and Election Officials (SCARE) Conference

The South Carolina Association of Registrars and Election officials (SCARE) conference was held on March 8, 2016 – March 12, 2016. Mrs. Smalls reported eight staff members and seven Board members attended.

Mrs. Smalls announced the office was awarded the Excellence in Elections Award at the SCARE Conference for our Hands-On Training Program and community work with the assisted living facilities.

Mrs. Smalls reminded the Board and Staff the training requirements to maintain state certification. Certified Members must take a minimum of one (1) class (Directors must take two (2) classes) per year to maintain certification. Attending all of the SCARE Conference in lieu of a training class is acceptable for Certified Members. All Board members/Staff must be certified within 18 months of appointment/employment.

ANNOUNCEMENTS

Mr. Clifford announced the next scheduled Board meeting would be on Thursday, May 5, 2016 after the Hilton Head Ward 3 Canvass Hearing at 10:00 am in the Voter Registration and Election Office.

ADJOURNMENT

The Board meeting adjourned at 4:11 pm.

**BEAUFORT COUNTY
BOARD OF ELECTIONS AND REGISTRATION
2016 Meetings Calendar**

<u>Date</u>	<u>Event</u>
March 23 / 2:00 pm	CEC Board Meeting (Voter Registration Office, 15 John Galt Road)
April 27 / 2:00 pm	CEC Board Meeting (Executive Conference Room, 100 Ribaut Road)
May 5 / After Canvass Hearing at 10:00 am	Hilton Head Ward 3 Canvass Hearing and CEC Board Meeting (Voter Registration Office, 15 John Galt Road)
May 25 / 2:00 pm	CEC Board Meeting (Executive Conference Room, 100 Ribaut Road)
June 17 / After Canvass Hearing at 10:00 am	Statewide Primaries Canvass Hearing and CEC Board Meeting (Voter Registration Office, 15 John Galt Road)
July 27	No CEC Board Meeting unless required (Summer Break)
August 24	No CEC Board Meeting unless required (Summer Break)
September 28 / 2:00 pm	CEC Board Meeting (Executive Conference Room, 100 Ribaut Road)
October 26 / 2:00 pm	CEC Board Meeting (Executive Conference Room, 100 Ribaut Road)
November 11 / 10:00 am	General Election Canvass Hearing (Voter Registration Office, 15 John Galt Rd)
December 28	No CEC Board Meeting unless required (Winter Break)

Organization Positions Report

Position Name	Position Title	Official Name	Term Length in Year	Appointed Date	Appointed By	Expiration Date	At Pleasure Of	Co term
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County Board or Commission

Board of Voter Registration and Elections of Beaufort County

of Positions: 9

Verified: Yes

Statute: 7-5-10

Beaufort County	Member	Jones, Philip	2	4/21/2015	Gov Nikki Haley	12/1/2016		
Beaufort County	Member	Dore, Beverly Smith	4	4/21/2015	Gov Nikki Haley	12/1/2018		
Beaufort County	Member	Clifford, Tyrone S.	4	4/21/2015	Gov Nikki Haley	12/1/2018		
Beaufort County	Member	Severns, William H.	4	4/21/2015	Gov Nikki Haley	12/1/2018		
Beaufort County	Member	Williams, Rupert B.	4	4/21/2015	Gov Nikki Haley	12/1/2018		
Beaufort County	Member	Bronson, William K.	2	4/21/2015	Gov Nikki Haley	12/1/2016		
Beaufort County	Member	Hewitt, Dean J.	2	4/21/2015	Gov Nikki Haley	12/1/2016		
Beaufort County	Member	Massey, Bruce M.		4/21/2015	Gov Nikki Haley	12/1/2016		
Beaufot County	Member	Rowe, James William	4	4/21/2015	Gov Nikki Haley	12/1/2018		

Number of Organization Count for County Board or Commission: 1

Beaufort County Board of Elections and Registration

2015 Committee Assignments

(The Chairman serves on **all** committees)

RULES:

This committee will be charged with maintaining our Standard Operating Procedures for the Board. We at this time have to reinvent the wheel every time an issue comes up. This committee will put procedures in place for us to follow in the future. As other issues, come up this committee will make recommendations to the Board as to procedures for that particular issue.

- **Jim Rowe (Chair)**
 - Dean Hewitt
 - Rupert Williams
-

LEGISLATIVE AFFAIRS:

This committee is to look at various bills that affect elections or any of our Board duties and to come to the Board with recommendations of communications that our Board should make to members of the House or Senate.

- Beverly Dore
 - William Bronson
 - Dean Hewitt
 - Rupert Williams
-

FINANCE:

Meets each year with the Director to go through the budget, make recommendations, and bring the final budget to the Board for approval.

- **Dean Hewitt (Chair)**
 - Bruce Massey
 - Jim Rowe
 - William Severns
 - Rupert Williams
-

FACILITIES:

This committee is assigned the responsibility of making sure the office North of the Broad becomes functional. It is crowded and may need expansion before we add more equipment such as EVRL laptops. This is something we should always be monitoring for improvement or planning for future space needs.

- **William Severns (Chair)**
 - William Bronson
 - Beverly Dore
 - Bruce Massey
-

PRECINCT REAPPORTIONMENT:

This committee will work with the new census findings and realignment of areas according to the changes in population. They will work with the state people and others charged with this task. This committee is larger, due to the fact.

- **Beverly Dore (Chair)**
 - Jim Rowe
 - William Severns
-

TRAINING AND PERFORMANCE:

- William Bronson
- Bruce Massey



ALAN WILSON
ATTORNEY GENERAL

March 8, 2016

The Honorable Thomas Pope
Speaker Pro Tempore
SC House of Representatives
P.O. Box 11867
Columbia, SC 29211

Dear Representative Pope:

You seek an opinion regarding South Carolina's Voter ID law. By way of background, you provide the following information:

I am aware of conflicting information being given to South Carolina voters at polling places on primary and election days. Specifically, I am aware that one voter was not allowed to use a SLED-issued Concealed Weapons Permit as a photo ID in order to be able to vote. Another voter, in another part of our state, used a CWP permit as a photo ID, with no issue, at all, to vote.

The official SC Elections Commission web site, *SC Votes*, has the following information under its FAQ's:

Q. What do I need to take with me to the polls to vote?

A. At your polling place, you will be asked to show one of the following Photo IDs:

- S.C. Driver's license
- ID card issued by the S.C. Department of Motor Vehicles
- S.C. Voter Registration Card with Photo
- Federal Military ID
- US Passport

I have independently confirmed with the SC Elections Commission offices in Columbia, via a telephone call, that they advise callers that SLED-issued CWP photo ID cards will not be accepted by poll workers as a valid photo ID, in order for that voter to vote.

Based on the second bullet point above, the SC elections Commission does not appear to be following South Carolina law. SC Code Section 7-13-710 (A) (2) specifically provides:

- (A) When a person presents himself to vote, he shall produce a valid and current:
... (2) other form of identification *containing a photograph issued by the Department of Motor Vehicles*;

I have also confirmed with our SLED CWP Section, that they, in fact, use photographs issued by the Department of Motor Vehicles as the photo for the Concealed Weapons Permits they issue. In fact under SC Code Section 23-31-215 (A)(2), SLED requires CWP applicants to provide a photocopy of a driver's license or photographic identification card. Their CWP application form for CWP applicants also requires this SCDMV driver's license photo or officially issued ID card to be included with any CWP application. Furthermore, I have examined the SCDL photo and CWP photo of a voter and can readily see that these two photos are the same.

Based on the foregoing, and the documentation that I have included with this letter, is it your opinion that under existing state law, specifically SC Code Section 7-13-710, that a SLED-issued CWP photo ID card, containing a SCDMV-issued photograph, is, in fact, a valid photo ID that voters can use at polling places as a valid form of photo ID for voters to use to be able to vote?

Law/Analysis

South Carolina's Photo ID law is codified at Section 7-13-710. Such provision was enacted into law in 2011 as Act No. 27 of 2011 (R 54). The Act was precleared by the decision in State of South Carolina v. United States, 898 F.Supp.2d 30, 2012 WL 4814094 (D.D.C. 2012). Such Act provides in pertinent part at § 7-13-710(A) as follows:

- (A) When a person presents himself to vote, he shall produce a valid and current:
- (1) South Carolina's driver's license; or
 - (2) other form of identification containing a photograph issued by the Department of Motor Vehicles; or
 - (3) passport; or
 - (4) military identification containing a photograph issued by the federal government; or
 - (5) South Carolina voter registration card containing a photograph of the voter pursuant to Section 7-5-765.

In Op. S.C. Att’y Gen., 2013 WL 565005 (January 31, 2013), we construed § 7-13-710(A). There we advised that a Voter Identification Card (VIC) issued by the Department of Veterans Affairs would comply with the Photo ID law as a “military identification containing a photograph issued by the federal government” pursuant to § 7-13-710(A)(4).

The opinion first reviewed the history and purpose of the statute as follows:

[i]n State of South Carolina v. U.S. et al., ___ F.Supp.2d ___, 2012 WL 4814094 (D.D.C. 2012), a three judge court precleared South Carolina’s new Voter ID law (R 54 of 2011) pursuant to Section 5 of the Voting Rights Act (42 U.S.C. § 1973(c)(a)). Such Voter ID Act seeks to “protect against in-person voter fraud. . . .” See Democratic Party of Ga. v. Perdue, 288 Ga. 720, 707 S.E.2d 67, 69 (2011). As we stated in Op. S.C. Att’y Gen., August 16, 2011 (2011 WL 3918168), Section 5 of the Act provides for the authorized forms of identification for purposes of being able to vote. We noted that

[l]ike similar provisions enacted in other states, the South Carolina legislation requires voters to produce a valid and current photo ID in order to be able to vote. The object of the requirement is to [ensure] that the person presenting himself is the elector on the poll list. Such ID required to be able to vote may be in the form either of a South Carolina driver’s license; other forms of identification containing a photograph issued by the Department of Motor Vehicles; a passport; a military identification containing a photograph issued by the federal government; or a South Carolina Voter registration card containing a photograph of the voter pursuant to Section 7-5-675 (emphasis in original).

The 2013 opinion then discussed the so-called “reasonable impediment” provision of § 7-13-710. We stated:

Section 5 of R 54 (Act 27), codified at § 7-13-710, also contains what is known as the “reasonable impediment” provision which was key to the three judge court’s preclearance of the Voter ID Act. Such provision as we concluded in our 2011 opinion, insures, “that those who are unable to obtain a Photo ID of any kind may still be able to vote.” As we note “[i]f the voter cannot produce such an ID, Subsection (D)(1)(B) of Section 5 . . . provides as follows:

- (b) if an elector does not produce a valid and current identification because the elector suffers from a reasonable impediment that prevents the elector from obtaining photographic identification, he may complete an affidavit under the penalty of perjury at the

polling place and affirm that the elector (i) is the same individual who personally appeared at the polling place; (ii) cast the provisional ballot on election day; and (iii) the elector suffers from a reasonable impediment that prevents him from obtaining photographic identification. The elector shall list the impediment unless otherwise prohibited by state or federal law. Upon completion of the affidavit, the elector may cast a provisional ballot. The affidavit must be submitted with the provisional ballot envelope and be filed with the county board of registration and elections before certification of the election by the county board of canvassers.

The 2013 opinion also restated several well recognized principles of statutory construction, most importantly, that the primary purpose in interpreting statutes is to ascertain the intent of the Legislature. In this regard, we explained as follows:

[a]s stated above, Subsection (E) of Section 5 of the Voter ID expressly provides that “[t]he purpose of the identification required pursuant to subsection (A) is to confirm the person presenting himself to vote is the elector on the poll list.” Applying these rules of interpretation, we believe a court would rely upon this legislative intent rather than the literal phraseology and would thus conclude that a Veterans Identification Card (VIC), issued by the Department of Veterans Affairs, would qualify as a “military identification containing a photograph issued by the federal government” for purposes of meeting the voting requirements of the Voter ID Act. As you note, this ID is issued by a federal agency and does in fact contain a photograph.

Finally, our 2013 opinion recognized the importance of the right to vote in any interpretation of the Voter ID law. We thus stated the following:

. . . it is well established that the right to vote is a fundamental right. As the United States Supreme Court has repeatedly emphasized, it is beyond dispute that “voting is of the most fundamental significance under our constitutional structure.” Illinois Bd. of Elections v. Specialist Workers Party, 440 U.S. 173, 184 (1979). Any interpretation by a court of the Voter ID Act will certainly be well cognizant of the fundamental nature of the right to vote:

We apply this governing principle as well.

Thus, we concluded as follows:

[t]he Voter ID Act does not define the phrase “military identification containing a photograph issued by the federal government,” which is one form

of identification for voting authorized by the Act. However, based upon the foregoing, it is our opinion that a court would likely conclude that a current and valid Veterans Identification Card (VIC) is included within this phrase. Eligibility for the VIC card is based upon prior active service in the active military, naval or air service and who was discharged and released from service therefrom under conditions other than dishonorable. Moreover, § 7-13-710(A)(4) of the Voter ID Act does not specify that the military service be currently "active" service. Such a construction is consistent with our policy of erring on the side of the right to vote.

Furthermore, as the three judge court in South Carolina recognized, the Indiana Voter ID statute upheld by the Supreme Court in Crawford v. Marion Co. Election Bd., 553 U.S. 181 (2008) accepted a VIC as a sufficient form of identification for purposes of that law.

We likewise believe that acceptance of a VIC for purposes of identification in order to vote is in accordance with the legislative intent of South Carolina's Voter ID law and meets the requirement thereof.

Moreover, the District Court in State of South Carolina v. United States, *supra*, in preclearing South Carolina's Voter ID statute, under then existing Section 5 of the Voting Rights Act, recognized the following:

[a]s this litigation unfolded, the responsible South Carolina officials determined, often in real time, how they would apply the broadly worded reasonable impediment provision. Two officials play critical and complementary roles in the interpretation and implementation of Act R 54: the Attorney General of South Carolina and the Executive Director of the South Carolina Election Commission. The Attorney General is the chief legal officer of the State, and the Executive Director of the State Election Commission has principal responsibility for implementing Act R54's requirements. In 2011, the Attorney General of South Carolina officially interpreted the reasonable impediment provision and listed a variety of situations that, as a matter of law, would qualify as a reasonable impediment. And at the close of trial, the South Carolina Attorney General submitted an additional Memorandum to the Court addressing several issues about the reasonable impediment provision. The Court also heard testimony from the Executive Director of the State Election Commission, Marci Andino. Ms. Andino testified that she follows the interpretation of South Carolina law offered by the Attorney General of South Carolina. Ms. Andino also furnished specific assurances about how the reasonable impediment provision would be implemented. The evidence shows that the county boards and

election officials, who will be implementing the law on the ground, adhere to guidance from the central State Election Commission.

The Attorney General of South Carolina and Ms. Andino have emphasized that a driving principle both at the polling place and in South Carolina State law more generally is erring in favor of the voter. See S.C. Responses to the Court's Questions, Aug. 31, 2012 at 8 (“Ms. Andino is also correct to resolve conflicting legal requirements in favor of the voter.”); Op. S.C. Att’y Gen., Aug. 16, 2011, 2011 WL 39118168 at *4 (reasonable impediment provision must be interpreted in light of “fundamental nature of the right to vote”); Op. S.C. Att’y Gen., Oct. 11, 1996, 1996 WL 679459 at *2 (“[W]hen there is any doubt as to how a statute is to be interpreted and how that interpretation is to be applied in a given instance, it is the policy of this Office to construe such doubt in favor of the people’s right to vote.”).

898 F. Supp.2d at 36.

You indicate in your request letter that the SLED CWP Section uses “photographs issued by the Department of Motor Vehicles as the photo for the Concealed Weapons Permits they issue.” You note that, pursuant to § 23-21-215(A)(2), “SLED requires CWP applicants to provide a photocopy of a driver’s license or photographic identification card.” You advise that “SLED’s CWP application form for CWP applicants also requires this SCDMV driver’s license photo or officially issued card to be included with any CWP application.” You further indicate that a comparison of the SCDL photo and CWP photo of a voter leads to the conclusion that “these two photos are the same.” You attach a copy of a CWP application prepared by SLED which requires “a good quality photocopy of their state issued driver’s license or officially issued identification card.”

We turn now to the specific language of § 7-13-710(A)(2). Subsection (A)(2) states that the voter must present “. . . other form of identification containing a photograph issued by the Department of Motor Vehicles. . . .” The word “containing” means “to hold or include within its volume or area” or “to have as contents or constituent parts; comprise; include.” Dictionary.com (word “containing”). In other words, by use of the word “containing,” the General Assembly most probably intended that only the photograph should be one “issued by the Department of Motor Vehicles.” This can be seen most clearly by comparing subsection (A)(2) with (A)(1) which is a “South Carolina’s driver’s license” (which is, of course, issued by the Department of Motor Vehicles). Otherwise, the Legislature could have simply stated in subsection (A)(2) that the ID be issued by DMV, without even referencing the photograph (DMV would obviously use its own photograph). See Hinton v. S.C. Dept. of Probation, Parole and Pardon Services, 357 S.C. 327, 582 S.E.2d 335 (Ct. App. 2004) [all parts of statute must be given effect]. Given the fact that we must construe subsection (A)(2) broadly, consistent with the fundamental right to vote, we believe that so long as the “form of identification contain[s]” a

photograph “issued by the Department of Motor Vehicles,” it is sufficient to satisfy § 7-13-710(A)(2).

Clearly, based upon the information which you have provided, the CWP permit application and permit issued pursuant thereto requires a “form of identification containing a photograph issued by the Department of Motor Vehicles.” The CWP application form requires “a good quality photograph of their state issued driver’s license or officially issued identification card.”

Further, our opinions document such use by SLED. In Op. S.C. Att’y Gen., 2003 WL 22050879, (August 20, 2003), we stated:

[W]e understand that South Carolina requires applicants to submit a full facial photo for verification or identification. It is our understanding that during the issuance process, SLED compares the applicant’s submitted photograph with the electronically stored photo maintained by the DMV. The DMV photo is then placed on the Concealed Weapons Permit.

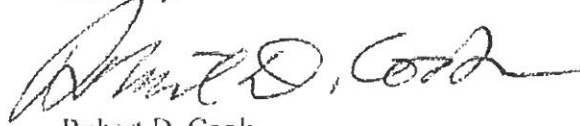
(emphasis added). See also Op. S.C. Att’y Gen., 2011 WL 1740736 (April 6, 2011) [DMV photograph placed upon arrest warrants].

Conclusion

It is our opinion that a court would likely conclude that a licensed CWP holder may use his or her CWP permit as identification to vote pursuant to South Carolina’s Voter ID law. Section 7-13-710(A)(2) requires simply that the identification be “other form of identification containing a photograph issued by the Department of Motor Vehicles. . . .” (emphasis added). The provision does not require that the identification be one issued by DMV, but simply that it “contain” a photograph issued by DMV. It is our understanding, and we have so recognized in prior opinions, that SLED uses the South Carolina DMV photograph as identification on CWP permits. This being the case, and given the liberal construction required to support the fundamental right to vote, we believe the CWP permit may be used as identification for voting pursuant to § 7-13-710(A)(2). While it might be argued technically that the word “issued” modifies the word “identification” rather than the word “photograph” such an interpretation elevates form over substance and renders a portion of subsection (A)(2) a redundancy. Essentially, the SLED CWP permit adapts as its own the DMV method of identification. We believe that, consistent with upholding the right to vote, SLED CWP permits, which employ the DMV photograph, are no different from a DMV form of identification and may be used to vote.

The Honorable Thomas Pope
Page 8
March 8, 2016

Sincerely,

A handwritten signature in black ink, appearing to read "Robert D. Cook". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert D. Cook
Solicitor General

April and July 2016 SEC Training Classes

<u>Class</u>	<u>Date</u>	<u>Start - End Time</u>	<u>Max</u>	<u>Filled</u>	<u>Avail</u>
Conflict Resolution	Monday, April 18, 2016	09:00 AM – 12:00 PM	30	30	0
IT Management	Monday, April 18, 2016	01:30 PM – 4:30 PM	30	5	25
Office Procedures	Tuesday, April 19, 2016	09:00 AM – 4:30 PM	30	5	25
Effective Customer Service	Wednesday, April 20, 2016	09:00 AM – 12:00 PM	30	30	0
Elements of E-Mail Style	Wednesday, April 20, 2016	1:30 PM – 4:30 PM	30	14	16
Core Leadership Skills	Monday, July 25, 2016	09:00 AM – 12:00 PM	30	30	0
Managing Multiple Projects, Priorities and Deadlines	Monday, July 25, 2016	1:30 PM – 4:30 PM	30	14	16
Presentation Skills	Tuesday, July 26, 2016	09:00 AM – 4:30 PM	30	4	26
Office Procedures	Wednesday, July 27, 2016	09:00 AM – 4:30 PM	30	2	28
Introduction to Supervision: Roles and Responsibilities	Wednesday, July 27, 2016	1:30 PM – 4:30 PM	30	6	24
Introduction to VREMS/Unity	Thursday, July 28, 2016	09:00 AM – 4:30 PM	30	7	23

**All of the classes are located at the Columbia SEC office
1122 Lady Street, Suite 300, Columbia, SC 29201.**

Board of Voter Registration and Elections of Beaufort County

15 John Galt Road
Beaufort, SC 29906
Toll Free: 1-866-851-VOTE (8683)

Office: (843) 255-6900

Post Office Drawer 1228
Beaufort, SC 29901-1228
Fax: (843) 524-0617 or
(843) 255-9429

BOARD & STAFF CONTACT INFORMATION

Marie S Smalls, Director

Tyrone S. Clifford, Chairman
(Hilton Head Island 7A – 15B & Daufuskie)

Board Members

William Severns, Vice Chairman
(Chechessee 1 – 2 & Bluffton 2B – 2D, 4A – 5B)

Philip Jones
(Sun City 1 – 8)

Beverly Dore
(Burton 1B – 3, Mossy Oaks 1A – 2, & Port Royal 1 – 2)

James Rowe
(Beaufort 1 – 3 & Lady's Island 1A, 2A – 3A, & 3C)

William Bronson
(Belfair, Rose Hill, Moss Creek, & Bluffton 1A – 2A, 2E & 3)

Dean Hewitt
(Lady's Island 1B, 3B & St. Helena Island 1A – 2C)

Bruce Massey
(Hilton Head Island 1A – 6)

Rupert Williams
(Burton 1A, 1C – 1D, Dale/Lobeco, Seabrook 1 – 3, & Sheldon 1 – 2)

BEAUFORT STAFF

Kris Weitz	- 255-6901
Wendell Roberson	- 255-6902
Pat Gilliam	- 255-6911
Tonya Harris	- 255-6914
Brandon Harris	- 255-6915
Vernon Kemp	- 255-6920
Rosalyn Smalls	- 255-6912

BLUFFTON ANNEX

61 Ulmer Road	
Bluffton, SC	
Francina Smalls Miller	- 255-6940/2510

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