



Politics

How Rep. James Clyburn Protected His District at a Cost to Black Democrats

by Marilyn W. Thompson; Photography and video by Cheney Orr for ProPublica

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Facing the possibility of an unsafe district, South Carolina’s most powerful Democrat sent his aide to consult with the GOP on a redistricting plan that diluted Black voting strength and harmed his party’s chances of gaining seats in Congress.



An expressway over Wappoo Creek bridges South Carolina’s 1st and 6th congressional districts. Closing footage: The Statehouse at sunrise in Columbia.

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The meeting was arranged in secret. On Nov. 19, 2021, the chief of staff for South Carolina’s Senate Judiciary Committee texted Dalton Tresvant, a key aide to [Rep. Jim Clyburn](#), the state’s most powerful Democrat.

“Hey Dalton - Andy Fiffick here,” he said. “We wrapped up some morning things quicker than we thought, so if you want/can come earlier than 1:30 we’re available.”

The state Legislature had begun the crucial task of redrawing voting district lines after the 2020 census. Even small changes in the lines can mean the difference between who wins office, who loses and which party holds power. As the process commenced, Clyburn had a problem: His once majority Black district had suffered a daunting exodus of residents since the last count. He wanted his seat to be made as safe as possible. Republicans understood the powerful Black Democrat could not be ignored, even though he came

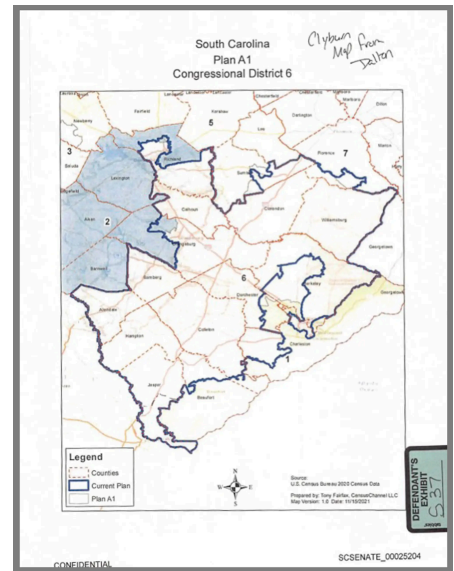
the state-level process. Fortunately for them, Clyburn, m, had long ago made peace with the art of bartering. ellum Statehouse, a relic still marked by cannon fire wn map of Clyburn’s 6th District and presented it to s who were working to reconfigure the state’s

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Get started

Some of Tresvant’s proposals appealed to Republicans. The sketch added Black voters to Clyburn’s district while moving out some predominantly white precincts that leaned toward the GOP. The Republicans kept Tresvant’s map confidential as they worked through the redistricting process for the following two months. They looped in Tresvant again near the end, according to public records obtained by ProPublica.

The resulting map, finalized in January 2022, made Clyburn’s lock on power stronger than it might have been otherwise. A House of Representatives seat that Democrats held as recently as 2018 would become even more solid for the incumbent Republican. This came at a cost: Democrats now have virtually no shot of winning any congressional seat in South Carolina other than Clyburn’s, state political leaders on both sides of the aisle say.



Early in South Carolina’s redistricting process, an aide to Democratic Rep. Jim Clyburn delivered a map to Republicans that outlined the lawmaker’s desires. South Carolina Senate



The redrawn map, finalized in January 2022, made Clyburn’s lock on power stronger than it might have been otherwise. Kevin Dietsch/Getty Images

As others attacked the Republican redistricting as an illegal racial gerrymander, Clyburn said nothing publicly. His role throughout the redistricting process has remained out of the public view, and he has denied any involvement in state legislative decisions. And while it’s been clear that Clyburn has been a key participant in past state redistricting, the extent of his role in the 2021 negotiations has not been previously examined. This account draws on public records, hundreds of pages of legal filings and interviews with dozens of South Carolina lawmakers and political experts from both sides of the aisle.

While redistricting fights are usually depicted as exercises in raw partisan power, the records and legal filings provide an inside look that reveals they can often involve self-interested input from incumbents and backroom horse trading between the two parties. With the House so closely divided today, every seat takes

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challenged in federal court by the NAACP. The newly moved Black voters into Clyburn’s district to solidify it, the 1st. A three-judge federal panel ruled in January on a constitutional racial gerrymander that must be corrected before

But Clyburn’s role already has complicated the NAACP’s case. The judges dismissed some of the group’s contentions partly because Clyburn’s early requests drove some of the mapping changes. The Republicans are now appealing the ruling to the Supreme Court, which has yet to decide if it wants to hear oral arguments in the case.

The redistricting process was the first South Carolina has undertaken since a series of Supreme Court rulings made it easier for states to redraw their districts. In 2013, the high court significantly weakened the Voting Rights Act, removing South Carolina and other Southern states, with their history of Black disenfranchisement, from Department of Justice oversight. And in 2019, the Supreme Court opened the door to more aggressive gerrymandering by barring federal court challenges on the basis of partisanship. But it can be illegal to draw lines based on race. Republican gerrymanders in Florida, Texas and several other states have recently been challenged for targeting Black voters.

The fight over the South Carolina redistricting has exacerbated racial wounds in a state where the growing white population now accounts for about 68% of residents, up from 66% a decade ago. Driven by the immigration of white retirees and a slow emigration of Black people, the state’s Black population has dropped over the years to just over a quarter of its 5.2 million residents. The GOP now controls all major state elected offices except for Clyburn’s seat.

Clyburn’s role highlights an underbelly of the redistricting process: In the South, Black Democratic incumbents have often worked with Republicans in power to achieve their own goals.

Few state Democrats will criticize Clyburn by name on the record. Bakari Sellers, 38, a former state Democratic lawmaker who once served on the redistricting committee, said, “There is a very unholy alliance between many Black legislators and their Republican counterparts in the redistricting process.” Clyburn’s district “is probably one of the best examples.” Moving that many Black voters into Clyburn’s district meant “we eliminate a chance to win” in other districts, he said.

“I’m not saying that we could win, but I’m saying we could be competitive, and people of color, those poor people, those individuals who have been crying out for so long, would have a voice,” Sellers said.

Clyburn speaks in the deep baritone of a preacher’s son, but his voice rises in anger when the subject turns to criticisms of his involvement in redistricting. Unfounded, he says.

In an interview, Clyburn said the redistricting plan signed by the Republican governor in early 2022 proves he did not get all that he wanted, mainly because his district lost its majority Black status. On questions about Tresvant’s work, a Clyburn spokesperson acknowledged that the office had “engaged in discussions regarding the boundaries of the 6th Congressional District by responding to inquiries” but did not answer detailed follow-up questions about his role. Tresvant did not respond to repeated requests for comment.

“Any accusation that Congressman Clyburn in any way enabled or facilitated Republican gerrymandering that wouldn’t have

id in a statement, Clyburn agrees with will be upheld.”

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Clyburn's district, the 6th, itself resulted from what political experts would later describe as a racial gerrymander. After the 1990 census, a federal court imposed a plan that gave South Carolina's Black population, then about a third of the state, a fair shot at electing a member of Congress. It hadn't done so since 1897.

The 6th's boundaries brought in Black people from across the state to create a crescent-shaped district. Black people made up almost 6 in 10 residents. National Democratic Party strategist Bill Carrick, then a South Carolina campaign consultant, said race guided the GOP. "It was like the Republicans decided, 'Let's see how many African Americans we can put into one district — instead of our own,'" he said.

This redistricting technique is known as "packing." Packing can be a double-edged sword, giving underrepresented communities a voice but also limiting them to one — and only one — member of Congress. Clyburn, the first Black person in modern times to head a South Carolina state agency, won the seat in 1992. He rose to prominence in Washington, climbing to the post of House majority whip by 2007. His 2020 endorsement helped Joe Biden seal the Democratic presidential nomination, and he was recently named a co-chair of Biden's 2024 campaign.



Clyburn, center left, with Rep. Bobby Rush, D-Ill., in December 1992. Clyburn became House majority whip in 2007 and was recently named a co-chair of President Joe Biden's 2024 campaign. Maureen Keating/CQ Roll Call via Getty Images

Clyburn's stature within the state was unparalleled. He had learned early in his career the value of backroom negotiations, at first dealing with staunch segregationists running the state government. His role in Washington required negotiating with GOP leaders to pass legislation though he would publicly criticize them when they rejected Democrat's initiatives, like new voting rights proposals.

He is best known back home for delivering federal money. Clyburn's name is emblazoned on taxpayer-funded structures all over the state, including a Medical University of South Carolina research center and an "intermodal transportation center" (otherwise known as a bus station) in his hometown, Sumter.

Clyburn also was willing to help local Republicans. When the family business of George "Chip" Campsen, a top GOP state leader, had a dispute with the National Park Service over how much it owed the federal government, Clyburn co-sponsored a Republican lawmaker's bill to pressure the service into mediation. The parties then settled in 2002 on favorable terms to the Campsen family company. Clyburn's office said

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id to a question about the deal.)



A bill Clyburn co-sponsored ended up helping settle a dispute between the National Park Service and the family business of top GOP state leader George "Chip" Campsen, shown in the first image and at center in the second image.

Clyburn's ties with Republicans have come in handy during the previous redistricting battle. Clyburn has repeatedly angled to keep a majority Black constituency, according to documents and political observers.

Redistricting is meant to follow clear principles. Each congressional district's population must be as similar as possible. Maps are supposed to be understandable, with counties and cities kept whole and lines following natural boundaries, like rivers or highways. And the process is designed to be transparent, guided by public input.

But it has rarely worked out that way. Despite a recent history of moves to disenfranchise minority voters, Republicans have sometimes been able to capitalize on individual politicians' self-interest. In the early 1990s, then-Republican National Committee counsel Benjamin Ginsberg seized upon Black disenchantment with white Southern Democrats' gerrymanders to forge what has come to be known as the "unholy alliance" between the RNC and Black elected officials. Ginsburg told the Congressional Black Caucus Foundation in 1990 that the RNC would share its redistricting tools with minorities as part of a "natural alliance born of the gerrymander." The upside for the Republican party is that Black voters in Southern states could be limited to as few seats as possible.

In 1994, the GOP took over the House and the Congressional Black Caucus reached its largest membership since Reconstruction. Redistricting "increased the political power of both groups," said David Daley, author of "Ratf**ked," a book on gerrymandering that delves into the history of the alliance between the GOP and Black Southern Democrats. "Republicans regained control of the House, and the Congressional Black Caucus grew to its largest numbers since Reconstruction."

Clyburn is part of a generation of Black officials who lived through the Jim Crow era and cherished the protections of the Voting Rights Act. But many politicians who agree about the importance of the act say that the notion that Black politicians need majority Black districts to get elected is outdated. Because he's been in office so long, "Jim Clyburn could win reelection with 20% Black voters," said former Rep. Mel Watt of North Carolina. "He's trying to protect the district for the candidate coming after him."

Despite state and local resistance, the number of elected Black officials in South Carolina increased from 38 in 1970 to 540 in 2000 and continued growing. Yet complaints continued to flood into the Justice Department about gross abuses of voting rights, including biased handling of redistricting.

The last congressional redistricting overseen by the Justice Department in South Carolina was in 2011. Then, as now, the state's population was booming, and it had gained another congressional seat, which both parties hoped to claim. As is the case today, Republicans controlled the Legislature. The Democrats, however, could rely on the Justice Department, which had to preapprove the plan, to prevent gross abuses.

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who publicly submitted their own maps as part of the . Clyburn's map suggested that his district include a level than what the NAACP's map recommended.

at of Clyburn's district to create a new district, with the of Congress. The Republican House speaker blocked the

COURTS.

Behind the scenes, some lawmakers believed Clyburn was working with the speaker. On a visit to Columbia, the capital, Clyburn went to the House map room and made suggestions to protect his position, according to a nonpartisan former House staff member, who asked not be named because he was not authorized to discuss his work.

During the process, Clyburn met privately with then-Republican state Rep. Alan Clemmons, head of that year's redistricting panel, according to an account Clemmons later gave to local media. Clemmons said Clyburn had Tresvant act as his "eyes and ears," the same role that he would take on in 2021. Tresvant "would request specific businesses and churches be included in Clyburn's district," according to a 2018 report by The Post & Courier of Clemmon's account.

Clemmons, now an equity court judge, declined to comment, citing the judicial ethics code.

The 2011 redistricting plan also prompted a federal lawsuit, which unsuccessfully challenged Clyburn's district as an illegal racial gerrymander. Clyburn did not testify, but in an affidavit, he accused Republicans of making "an intentional effort" to decrease the political influence of Black people by packing them into a single district. He said nothing about his own behind-the-scenes negotiations with Republican leaders.

The 2021 Strategy

Ten years later, Clyburn followed a familiar strategy when Republicans began redistricting again. For the first time, the Justice Department had no oversight role. This time, however, none of his actions were public.



First image: A view of a neighborhood in the 1st Congressional District in Ladson, South Carolina. Second image: The railroad tracks in Ladson serve as a new dividing line for the 1st and 6th districts.

Clyburn's district had lost about 85,000 people. Each new district had to be drawn to represent 731,203 people. One obvious place to look for additional constituents would be the 1st District, just to the southeast along the coast. That district was overpopulated by almost 88,000. The 1st District was the last remaining swing district, with a history of tight races. In 2018, a Democrat had won by about 4,000 votes. Two years later, a Republican, Nancy Mace, won it by about 5,000. If the GOP could remove enough Black or Democratic voters from that district, it could give the party a lock on the seat.

The map Clyburn's aide Tresvant had quietly brought to the GOP at the beginning of the 2021 process included suggestions that would help both Clyburn and the Republicans. His map gave his boss a larger portion of heavily Democratic Charleston County, drawing from Mace's district. Clyburn's suggested lines reflected a move of about 77,000 new people to his district, according to an expert who analyzed the maps

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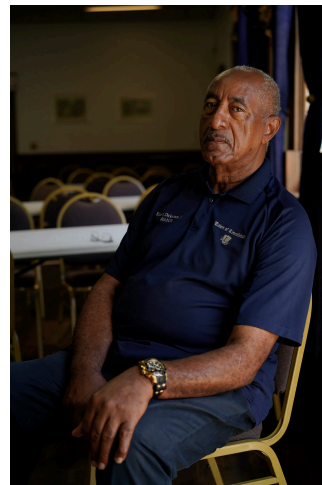
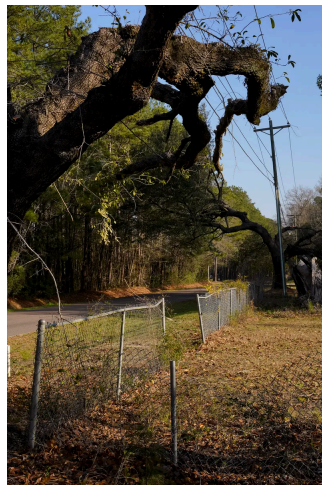
so sought to move an additional 29,000 people into his Mace. Berkeley is a fast-growing area, adding white st employers.

ters. He was also willing to give up pockets of his district ch proposal would help Republicans seal control of the

1st. Clyburn suggested giving up about 4,600 people in Jasper County, an area that was trending Republican as white Northern retirees relocated there.

During the NAACP’s trial, some Republican senate aides said they did not rely on Clyburn’s map. But the staffer for Senate Republicans who was chiefly responsible for redrawing the lines testified that he used it as a starting point. And then the GOP went further. As the redistricting plan made its way through the Legislature, Republicans further solidified their hold on the 1st District. Clyburn monitored their progress in calls to Democratic allies, according to two state senators who spoke with him during the period.

A plan proposed by Campsen, the state senator whose family company Clyburn helped years earlier, moved almost all of Charleston County’s Black and Democrat-leaning precincts to Clyburn. The shift gave Clyburn the city of Charleston, where he had deep connections, and consolidated the county’s major colleges and universities into his district, a political plus. The new borders for Clyburn gave him a number of small pockets of Black voters, including about 1,500 in Lincolnvile, which juts out of the election map like an old-fashioned door key. “The congressman was hoping to get Lincolnvile years and years ago” and finally succeeded in 2022, said the town’s mayor, Enoch Dickerson.



First image: Lincolnvile, South Carolina, which was moved into Clyburn’s district. Second image: Enoch Dickerson, the town’s mayor. “The congressman was hoping to get Lincolnvile years and years ago” and finally succeeded in 2022, he said.

As a result of Campsen’s plan, the Black voting-age population of the 1st District fell to just over 17%, the lowest in the state. In the 2022 election, Mace beat her Democratic opponent by about 38,000 votes — a 14 percentage point landslide, up from her 1 percentage point in the previous election.

Clyburn said nothing publicly as some Democrats in Charleston County, led by former Rep. Joe Cunningham, protested Campsen’s plan. On the Senate floor, Campsen praised Clyburn and said Charleston County would be well served by having both Clyburn and Mace looking out for its interests.

“Jim Clyburn has more influence with the Biden administration perhaps than anyone in the nation,” Campsen said.

As Clyburn monitored the debate, Fiffick kept Tresvant in the loop, texting him again on Jan. 14, 2022, to ask why Fiffick sent it.

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and signed by the governor Jan. 26, 2022.

ed. Republicans moved all of rapidly growing Berkeley voters in his district has dipped below 50%, the

THE CONGRESSMAN SOON GOT TO WORK SERVING HIS CONSTITUENTS. Shortly afterward, Clyburn had Lincolnvile added to a federal program that protects historic stops along the Gullah Geechee trail. In the 2022 election,

Clyburn won 62% of the vote, lower than the 68% he won in 2020 but comfortable nonetheless.

Consequences

Soon after the new redistricting plan went into effect, the NAACP pressed ahead with its lawsuit against state Republican leaders, charging that many congressional mapping decisions were based predominantly on race. [The case dealt](#) with more than just the changes in Mace's district that had an impact on Clyburn.

A three-judge federal appeals panel ruled that the plan's division of the 1st and 6th districts was an unlawful racial gerrymander aimed at creating "a stronger Republican tilt" in Mace's district. The court said that the movement of about 30,000 Black voters into Clyburn's district was "effectively impossible" without racial gerrymandering.

But the court knocked down some of the NAACP's claims. In several cases, it said, Clyburn had requested the mapping changes. The NAACP declined to comment.

Antonio Ingram, an assistant counsel for the NAACP Legal Defense Fund, said lawyers for Republican leaders tried to shift the emphasis to Clyburn's early requests. He said it was "inappropriate to blame a congressman for the General Assembly's decision to pass discriminatory maps."

Republican leaders appealed the panel's decision and [asked the Supreme Court](#) to reject the racial gerrymandering charge.

If the court orders that the map be redrawn, it could have ripple effects on Clyburn's district and other parts of the state. Although a Republican challenger gained ground on him in 2022, he's considered a shoo-in if he chooses to seek reelection, no matter how the lines are drawn.

Taiwan Scott, who lives in Mace's district and is the lead plaintiff in the NAACP lawsuit, said racial gerrymandering has deprived Black voters of fair congressional representation. A small businessman in Hilton Head, Scott said Black people are showing disapproval by declining to vote.

"It is bigger than myself. It's systemic," he said.

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Taiwan Scott is the lead plaintiff in an NAACP lawsuit over South Carolina's 2021 redistricting.

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Marilyn W. Thompson was a reporter at ProPublica.

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