DEC 24 1975

Mr. John Ward
Attorney for the Rapides
Parish School Board and
Police Jury
770 North Street
Baton Rouge, Louisiana 70802

Dear Mr. Ward:

This is in reference to the reapportionment plans for the Rapides Parish Police Jury and School Board which were submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965. Your submission was received on November 3, 1975.

The plans which are the subject of this submission are the plans adopted as a result of the litigation in Le Blanc v. Rapides Parish Police Jury, C.A. No. 13,715 (W.D. La. July 26, 1971). While there may have been some doubt concerning the necessity for these plans to be submitted for Section 5 review and while this matter has been litigated, United States v. Rapides Parish School Board, C.A. No. 19,209 (W.D. La.), it now appears that regardless of the status of the law in 1973 when the latter case was decided, it is now clear that such plans are subject to review under the provisions of Section 5 of the Voting Rights Act. Conner v. Waller, 421 U.S. 656, (1975).

We have carefully considered the submitted plans along with Census Bureau data, information and comments from interested parties, as well as election results for the two governing bodies since 1971. Our analysis of the election results under the submitted plans which

utilize multi-member districts reveals that the implementation of the plans impermissively dilute the voting strength of black persons. This is illustrated by the fact that blacks have not been elected under either plan. We also note that under the single-member system implemented by Court order in 1974, two black candidates were elected to each respective body for the first time in modern history.

Recent court decisions suggest that the use of multi-member districts under circumstances such as those existing in Rapides Parish operate to minimize or dilute the voting strength of a minority group, and, thus, have an invidious discriminatory effect. White v. Regester, 412 U.S. 755 (1973); Whitcomb v. Chavis, 403 U.S. 124 (1971); Zimmer v. McKeithen, 485 F. 2d 1297 (5th Cir. 1973).

In view of these court decisions and on the basis of all the available facts and circumstances, I have concluded that the submitted plans have had, and may continue to have a discriminatory racial effect on minority voting rights. Therefore, on behalf of the Attorney General, I must interpose an objection to the school board and police jury reapportionment plans.

Of course, Section 5 permits you to seek a declaratory judgment from the United States District Court for the District of Columbia that this plan neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race or color. However, until such a judgement is rendered by that Court, the legal effect of the objection by the Attorney General is to render these plans unenforceable.

Sincerely,

J. Stanley Pottinger
Assistant Attorney General
Civil Rights Division