

NOV 15 1976

Mr. Charles W. Whetstone, Jr.  
City Attorney  
Town of Cameron  
Post Office Box 437  
U.S. 601 North  
St. Matthews, South Carolina 29135

Dear Mr. Whetstone:

This is in reference to the implementation of Act 283 of the 1975 South Carolina General Assembly (Home Rule Act) by the Town of Cameron, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. Your submission was received on September 16, 1976.

After a careful examination of the information you have submitted as well as information and comments from other interested parties we are unable to conclude, as we must under the Voting Rights Act, that the submitted change will not have a racially discriminatory effect. First, while we note the statement in your letter of submission that the submitted ordinance makes no change in the form of government in Cameron, we also note that Section 47-94 of Act 283 mandates a majority vote requirement for municipalities which, as Cameron, choose to elect their governing body on a non-partisan basis.

We have noted further that while blacks constitute 43.49 percent of the population of Cameron, no black has ever been elected to town office. At the same time, at least one black candidate, in the 1972 election, has come within a handful of votes of election under the present system of election by plurality. Under these circumstances, we are unable to conclude that the Town of Cameron has carried its burden of proving that the use of the majority vote requirement, inherent in its newly adopted form of government, will not have a racially discriminatory effect. (See 28 C.F.R. 51.19) I must, therefore, on behalf of the Attorney General interpose an objection to the implementation of a majority vote requirement in the context of at-large elections of the Town of Cameron.

Of course, the Voting Rights Act permits a jurisdiction to seek the approval of changes subject to Section 5 by the United States District Court for the District of Columbia irrespective of whether the changes have been submitted to the Attorney General.

Sincerely,

J. Stanley Pottinger  
Assistant Attorney General  
Civil Rights Division