

May 17, 1976

Honorable Morris Hassell
Mayor, City of Rusk
Rusk, Texas 75785

Dear Mayor Hassell:

This is in reference to the adoption of the place system for Aldermanic elections of the City of Rusk, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. Your submission was received on March 19, 1976.

After a careful examination of all of the available facts and circumstances and an analysis of the relevant decisions of the federal courts, we are unable to conclude, as we must under the Voting Rights Act, that the place system will not have a racially discriminatory effect. In our analysis we have considered the factors enunciated in White v. Regester, 412 U.S. 755 (1973), and other cases to which it has given rise, including the history of governmental discrimination in the area, the presence of racial bloc voting, the degree of responsiveness of the elected representatives to the needs of the minority community, and the existence of an at-large electoral scheme. See also Graves v. Barnes, 378 F. Supp. 640 (W.D. Tex. 1974).

Under the totality of the circumstances I must on behalf of the Attorney General interpose an objection to the place system for Aldermanic elections of the City of Rusk.

cc: Public File
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Of course, the Voting Rights Act permits a jurisdiction to seek the approval of changes subject to Section 3 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