

AUG 1 1977

Honorable L. W. Scott
County Judge
Caldwell County
Post Office Box 1050
Lockhart, Texas 78644

Dear Judge Scott:

This is in reference to the redistricting of commissioner precincts in Caldwell County, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. Your original submission was received on April 3, 1976. Additional information was received on September 7, 1976, and June 3, 1977.

We have given careful consideration to the information furnished by you as well as Bureau of the Census data and information and comments from interested parties. On the basis of our analysis, we are unable to conclude, as we must under the Voting Rights Act, that the 1973 redistricting of commissioner precincts in Caldwell County will not have a discriminatory effect on minority groups in the county.

Our analysis reveals that Mexican Americans constitute over 30 percent of the population of Caldwell County and that blacks constitute between 13 and 21 percent of the county population. To make a determination under Section 5 with respect to the commissioner precincts we need to know the racial composition of these precincts. The statistical information that you have provided does not enable us to determine this racial composition. Although our independent research suggests preliminarily that the precincts do not have a discriminatory effect, we have no basis for being confident in this conclusion.

The Attorney General's Procedures for the Administration of Section 5 of the Voting Rights Act provide that:

If the evidence as to the . . . effect of the change is conflicting, and the Attorney General is unable to resolve the conflict within the 60-day period, he shall, consistent with the above-described burden of proof applicable in the District Court, enter an objection and so notify the submitting authority.

(28 C.F.R. 31.19).

Accordingly, I must, at this time, on behalf of the Attorney General, interpose an objection to the redistricting of commissioner precincts in Caldwell County. However, we have requested the Census Bureau to provide us with enumeration district statistics on the location of Mexican Americans in the county. Should this information indicate that the redistricting plan does not fragment the minority population of Caldwell County or should the county be able to provide new information showing that the redistricting does not adversely effect the potential of minority groups in the county to elect a candidate of their choice, we will be willing to reconsider the objection.

Sincerely,

Drew S. Days III
Assistant Attorney General
Civil Rights Division