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DJ: 166-012-3

JUL 9 1971

Mr. W. E. Carmouche  
Superintendent  
Assumption Parish School Board  
Napoleonville, Louisiana 70390

Dear Mr. Carmouche:

This is in reference to the reapportionment plan for the Assumption Parish School Board, which was submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965.

As you may know, the statute amending provisions of Louisiana law dealing with the election and apportioning of police jurors and the redistricting of police jury wards (Act No. 445 passed during the 1968 Louisiana legislative session) was submitted to the Attorney General pursuant to Section 5. The implementation of this statute, along with the provisions authorizing the creation of special school board election districts not identical with police jury ward boundaries and also authorizing at-large elections for school board members (Act 561), were objected to by him on June 26, 1969. Because of this earlier objection to the enabling legislation, we feel constrained to object to your School Board apportionment plan which creates special school board election districts different from the police jury ward boundaries. In the case of Ryer v. Love, 307 F. Supp. 974 (N.E. Miss. 1969), the court ruled

that as a result of the Attorney General's objection to the implementation of a state statute authorizing at-large elections for boards of supervisors in Mississippi, the supervisors do not have statutory power or authority to provide for such elections.

Although we understand the difficulties a school board must overcome in drawing new election districts for a parish, we must conclude that the Attorney General of the United States is without power to supersede the Louisiana legislature by carving out exceptions for particular counties. However, in view of the recent United States Supreme Court decision, Whitecomb v. Chavis, No. 72-1011, 79, June 7, 1971, dealing in part with the questions of multi-member and at-large election schemes we are reexamining our previously referred to objections to Acts 445 and 561. If our reexamination leads to a determination by the Attorney General to withdraw his objections to the Acts we will at that time so inform you so that you may if you wish resubmit Assumption Parish School Board reapportionment plan.

Sincerely,

DAVID L. NORMAN  
Acting Assistant Attorney General  
Civil Rights Division