

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. 415 passed during the 1958 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 501), were objected to by him on June 26, 1959. On June 4, 1971, I interposed an objection on behalf of the Attorney General to the implementation of the Jefferson Davis Parish Police Jury reappointment with reference to proposed District 2. As of this date we have not received an alternative police jury reappointment plan or any facts in relation of the conclusions upon which the objection was based.

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

Dear Mr. Cassidy:

Mr. Charles R. Cassidy
Assistant District Attorney
Post Office Drawer 1366
Baton Rouge, Louisiana 70544

DLH:BNM:clx
DJ 156-012-3

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Because of our earlier objections to the enabling legislation and the police jury reapportionment, I must advise you that the Attorney General cannot approve your School Board apportionment plan which creates special school board election districts different from the police jury ward boundaries. In the case of Dyer v. Love, 307 F. Supp. 974 (N.D. 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. Also in this regard, we failed to receive any notation of the statutory authority for designating place numbers within each ward, a practice apparently not contemplated by R.S. 17:52.

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.

Sincerely,

DAVID L. NORMAN
Acting Assistant Attorney General
Civil Rights Division