

JUL 17 1973

Mr. Blake C. Arata
City Attorney
City of New Orleans
City Hall
New Orleans, Louisiana 70112

Dear Mr. Arata:

This is in reference to 10 polling place changes submitted by your office to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965. The submission was completed by information received by this Department on May 23, 1973.

The Attorney General does not interpose any objection to those changes except as noted below. We feel a responsibility to point out, however, that Section 5 of the Voting Rights Act expressly provides that the failure of the Attorney General to object does not bar subsequent judicial action to enjoin the enforcement of such changes.

Regarding the polling place change in Ward 4, Precinct 3, information which you furnished along with that which we have received from black citizens affected by the change indicates that the new polling place site, Our Lady of Guadalupe Church Hall, is located outside of Precinct 3 and also serves as the polling place for Precinct 2 of Ward 4. This site is apparently extremely inconvenient for many of the registered voters in Precinct 3, 95% of whom are black, and has the effect of discouraging such persons from traveling to the polls to cast their ballots. It also appears that this effect is unnecessary as possible polling place sites more convenient to the voters exist within Precinct 3.

Under these circumstances we are unable to conclude as we must under Section 5 that the polling place proposed for Ward 4, Precinct 3, will not have the effect of abridging the right to vote on account of race or color. On behalf of the Attorney General I must, therefore, interpose an objection to the continued use of Our Lady of Guadalupe Church Hall as a polling place for Precinct 3 of Ward 4.

I note in this connection my understanding, based on a telephone conversation of July 3, 1973, between James Tolmach of my staff and Pete Williams of Council Research, that the New Orleans Department of Safety and Permits is currently looking for a new polling place for that precinct. However, as you know, you have the alternative of seeking a declaratory judgment from the District Court for the District of Columbia that the polling place for Ward 4, Precinct 3, will not have the effect of denying or abridging the right to vote on account of race.

Sincerely,

J. STANLEY POTTINGER
Assistant Attorney General
Civil Rights Division