

AUG 11 1978

Mr. Sam Cashio
District Attorney
Parishes of Iberville,
West Baton Rouge, Pointe
Coupee
Post Office Box 14
Maringouin, Louisiana 70757

Dear Mr. Cashio:

This is in reference to the polling place changes in Ward 1, Precinct 1; Ward 2, Precincts 1 and 2 of Pointe Coupee Parish, Louisiana, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. Your submission was received on June 14, 1978.

The Attorney General does not interpose any objections to the changes in Ward 1, Precinct 1 and Ward 2, Precinct 2. However, we feel a responsibility to point out that Section 5 of the Voting Rights Act expressly provides that the failure of the Attorney General to object does not bar any subsequent judicial action to enjoin the enforcement of such changes.

We have given careful consideration to the transfer of the polling place for Ward 2, Precinct 1 from the Furpera Brothers Red & White Store, Ixias, to a site adjacent to the old Younger Store, and we have taken into account the unavailability under Louisiana law of the Red & White Store. According to the information you have provided and to information obtained from other interested persons, blacks constitute a majority of the registered voters in the precinct, the Younger Store location is significantly less convenient than the Red & White Store for most black voters in the precinct, the Younger Store is not more centrally located in the precinct than the Red & White Store, the facilities available at the new location are no better than those at the old, there is significant opposition among blacks in the precinct to the Younger Store site, and alternative sites that do not have the disadvantages of the Younger Store site are available.

As a result, we are unable to conclude that this change does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color. Therefore, on behalf of the Attorney General, I must interpose an objection to the use of the Moulton Store site as the polling place location for Ward 2, Precinct 1.

Of course, as provided by Section 5 of the Voting Rights Act, you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that this change has neither the purpose nor will have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. In addition, the Procedures for the Administration of Section 5 (28 C.F.R. 51.21(b) and (c), 51.23, and 51.24) permit you to request the Attorney General to reconsider the objection. However, until the objection is withdrawn or the judgment from the District of Columbia Court obtained, the effect of the objection by the Attorney General is to make the polling place change in Ward 2, Precinct 1 legally unenforceable.

Sincerely,

Drew S. Days III
Assistant Attorney General
Civil Rights Division