



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

Mr. E. Kenneth Selle
President, Tri-S Associates, Inc.
P. O. Box 130
Ruston, Louisiana 71270

16 AUG 1982

Dear Mr. Selle:

This is in reference to the reapportionment of the police jury and school board in Madison Parish, Louisiana, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973c. Your submission was completed on June 17, 1982.

We have given careful consideration to the information you have provided as well as that available from our files and from other interested parties. On the basis of our analysis we are unable to conclude that the new plan does not have a racially discriminatory purpose or effect.

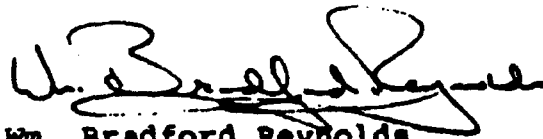
Our analysis of the plan under submission indicates that its inevitable effect will be to dilute the voting strength of black citizens in Madison Parish. Even though black voting strength is preserved in three of the existing wards with black majorities, the treatment of the fourth such ward, Ward 3, raises concerns. Under the existing plan blacks constitute 61.4 percent of the population of Ward 3. The election and reelection of a black to the school board from that ward indicate that black residents of that ward possess the potential for electing representation of their choice. The submitted redistricting reduces the percentage of black residents in Ward 3 to 54 percent, substantially reducing and virtually eliminating that potential. Although the 1980 Census revealed that Ward 3 exceeded the ideal district size by 15.2 percent, it would appear that the ward's population could easily have been reduced by the requisite amount without reducing the ward's black voting strength.

The Voting Rights Act proscribes any change which would "lead to a retrogression in the position of racial minorities with respect to their effective exercise of the electoral franchise." Beer v. United States, 425 U.S. 130, 141 (1976). In view of the circumstances discussed above, I cannot conclude that the parish has shown the absence of such an effect in this case. Accordingly, on behalf of the Attorney General, I must interpose an objection to the redistricting plans.

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. 51.44) 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 is obtained, the effect of the objection by the Attorney General is to make the redistricting plans legally unenforceable. See also 28 C.F.R. 51.9.

To enable this Department to meet its responsibility to enforce the Voting Rights Act, please inform us of the course of action Madison Parish plans to take with respect to this matter. If you have any questions concerning this letter, please feel free to call Carl W. Gabel (202-724-8388), Director of the Section 5 Unit of the Voting Section.

Sincerely,



Wm. Bradford Reynolds
Assistant Attorney General
Civil Rights Division