



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

July 11, 1983

W. Glen Mangham, Esq.
Assistant District Attorney
501 Caddo Parish Courthouse
Shreveport, Louisiana 71101

Dear Mr. Mangham:

This is in reference to the Home Rule Charter which provides for, inter alia, the change in the form of government from police jury to commission-administrator, the decrease from twenty to twelve members, the requirements for holding special tax elections, the elimination of the two-year residency requirement for commissioners, requirements for reapportionment, procedures for filling vacancies on the commission, provisions for initiative and referendum, provisions for amending or repealing the charter, and for the redistricting plan in Caddo 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. We received the information to complete your submission on June 30, 1983. In accordance with your request, expedited consideration has been given this submission pursuant to the Procedures for the Administration of Section 5 (28 C.F.R. 51.32).

We have given careful consideration to the information you have provided, as well as the Bureau of the Census data and comments and information provided by other interested parties. With regard to the voting changes occasioned by the Home Rule Charter, except for the portion which provides for the election of the parish commission from the twelve single-member district plan, the Attorney General does not interpose any objections. However, we feel a responsibility to point out that Section 5 expressly provides that the failure to object does not bar any subsequent judicial action to enjoin the enforcement of such changes. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.48).

According to the 1980 Census, 37 percent of the population in Caddo Parish is black and a large portion of that population is located in compact and cohesive communities throughout the parish. The parish currently is divided into twenty single-member districts, six of which have populations which are over 76 percent black under the existing plan.

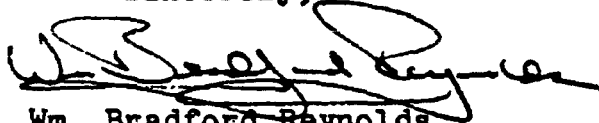
By decreasing to twelve the number of parish-wide commission districts, the submitted redistricting reduces measurably the black voting strength in the parish. Needless fragmentation of black population concentrations produced only three solid minority districts and one other district that is marginal. While such a result might well be acceptable on its own terms, when compared to the exceedingly high minority population percentages in six of the twenty districts under the existing plan, the present submission constitutes an impermissible retrogression in minority voting strength. Beer v. United States, 425 U.S. 130, 141 (1976).

In light of the considerations discussed above, I cannot conclude, as I must under the Voting Rights Act, that the parish has demonstrated that the proposed redistricting of commission districts does not have the prohibited discriminatory effect. Therefore, on behalf of the Attorney General, I must interpose an objection to the proposed twelve-member redistricting plan for the Caddo Parish Commission.

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 or color. In addition, Section 51.44 of the guidelines permits you to request that the Attorney General 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 plan legally unenforceable. 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 Caddo Parish plans to take with respect to this matter. If you have any questions, feel free to call Sandra S. Coleman (202-724-6718), Deputy Director of the Section 5 Unit of the Voting Section.

Sincerely,

A handwritten signature in black ink, appearing to read "Wm. Bradford Reynolds", written over a horizontal line.

Wm. Bradford Reynolds
Assistant Attorney General
Civil Rights Division