



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

December 13, 1993

Honorable Bennett Baquet
Mayor
P.O. Box 390
Ville Platte, Louisiana 70586

Dear Mayor Baquet:

This refers to the 1993 redistricting plan for the board of aldermembers for the City of Ville Platte in Evangeline 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 your response to our request for additional information on October 13, 1993.

We have considered carefully the information you have provided, as well as comments and information from other interested persons. At the time of the 1990 Census, black persons constituted 47 percent of the city's population and 40 percent of the city's voting age population. Our review of 1990 Census data shows that the black share of the city's population increased by 14 percentage points since 1980. This significant growth in the city's black population appears to be continuing, as reflected by current voter registration figures, which show an increase since 1990 in the black share of the city's registered voters from 40 to 44 percent.

The city is governed by a six-member board of aldermembers, five of whom are elected from single-member districts and the sixth member is elected at large. The mayor of Ville Platte also is elected at large. Our review of elections in the city reveals an apparent pattern of racially polarized voting.

Like the existing redistricting plan, the proposed plan has two districts that are majority black in total and voting age population. District B in the northern part of the city is 66 percent black in total population and District E in the southwestern part of the city is 98 percent black in total population. The black share of the population in District D, which borders District E, increased dramatically between 1980 and 1990, from seven percent to 39 percent. The black share of District D's voter registration has increased from 25 percent in 1990 to 36 percent in 1993.

Our review of the redistricting process has shown that black community leaders, including the two black aldermembers, sought to decrease the packing of the black population in District E and to adopt a plan that would contain three districts in which black voters would have an opportunity to elect their candidates of choice. Several alternative redistricting plans were prepared by the city, none of which attained that goal. Nor does it appear that the city gave serious consideration to any redistricting options that would have allowed for that possibility.

Our analysis indicates that it would be possible to reduce the packing of the black population in District E, maintain the black population percentage of District B and create a third district in which blacks would be a majority. The city's stated justification for rejecting or failing to consider such an alternative configuration is its belief that no such adjustments could be made without reducing the black proportion of District B. Our analysis shows, however, that a number of readily discernible boundary modifications could have been made that would have addressed the city's stated concerns.

Instead, the proposed plan leaves District E with a virtually all-black population, while it makes no change at all in adjacent District D. This division of the black population concentration in that part of the city suggests that the plan may have been designed to protect incumbents and ensure a continuing white majority on the board of aldermembers. See Garza v. Los Angeles County, 918 F.2d 763, 771 (9th Cir. 1990), cert. denied, 111 S. Ct. 681 (1991).

Under Section 5 of the Voting Rights Act, the submitting authority has the burden of showing that a submitted change has neither a discriminatory purpose nor a discriminatory effect. See Georgia v. United States, 411 U.S. 526 (1973); 28 C.F.R. 51.52. In light of the considerations discussed above, I cannot conclude, as I must under the Voting Rights Act, that your burden has been sustained in this instance. Therefore, on behalf of the Attorney General, I must object to the 1993 redistricting plan for the Ville Platte board of aldermembers.

We note that under Section 5 you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that the proposed 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, you may request that the Attorney General reconsider the objection. However, until the objection is withdrawn or a judgment from the District of Columbia Court is obtained, the 1993 redistricting plan continues to be legally unenforceable. Clark v. Roemer, 111 S. Ct. 2096 (1991); 28 C.F.R. 51.10 and 51.45.

To enable us to meet our responsibility to enforce the Voting Rights Act, please inform us of the action the City of Ville Platte plans to take concerning this matter. If you have any questions, you should call Donna M. Murphy (202-514-6153), an attorney in the Voting Section.

Sincerely,



James P. Turner
Acting Assistant Attorney General
Civil Rights Division