



U.S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

August 2, 1982

Honorable Charles A. Graddick
Attorney General
250 Administrative Building
64 North Union Street
Montgomery, Alabama 36130

Dear Mr. Attorney General:

This is in reference to the reapportionment of the Alabama Legislature by Act No. 82-629 (H.B. No. 19), 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 received on June 2, 1982.

After a thorough analysis of all the information available to us, we are unable to conclude that the proposed plan as it affects the areas outlined in our June 8, 1982, letter is free of the proscribed purpose or effect. In reaching this conclusion, we have carefully examined the possibility of developing a nonretrogressive reconfiguration of districts in the "Black Belt" area in question (Districts 83, 85, 86, 87, 88 and 90) that is more faithful to the State's articulated criteria of adherence to county boundaries and minimal fragmentation of minority communities. Our analysis demonstrates that several such alternatives are available without causing an undue "ripple effect" on the adjacent districts. The State has failed to explain satisfactorily why it adopted, instead, a configuration for the "Black Belt" area that departs measurably from the stated criteria and offers less prospect for the black voters in those districts to participate fully in the electoral process. Accordingly, I must, on behalf of the Attorney General, interpose an objection to Act No. 82-629.

In reaching this conclusion, I am mindful of your letter of July 28, 1982, requesting that the 60-day period for review of the State's submission be extended. Under the statute, the review period can only be altered on a request by the Attorney General for additional information necessary to our analysis of the submission or when we have received from the submitting authority documents and

information materially supplementing a submission. Such a request would be inappropriate in this situation where a full exchange of all pertinent information has already occurred.

Since 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, you may, of course, submit any comments on our analysis in the course of seeking reconsideration. In addition, 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 these changes have 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. 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 proposed reapportionment legally unenforceable.

Sincerely,

A handwritten signature in dark ink, appearing to read 'W. Bradford Reynolds', with a long horizontal flourish extending to the right.

Wm. Bradford Reynolds
Assistant Attorney General
Civil Rights Division