

SEP 20 1971

DJ 166-012-3
#68-17-VRA5-23

Mr. Richard Kilbourne
District Attorney
20th Judicial District
Clinton, Louisiana 70722

Dear Mr. Kilbourne:

This refers to your letter of July 19, 1971, submitting a redistricting plan of the police jury wards of East Feliciana Parish.

As you may know, the statute amending provisions of Louisiana law dealing with the election and apportioning of police jurors and the redistricting of police jury wards (Act No. 445 passed during the 1968 Louisiana Legislative Session) was submitted to the Attorney General pursuant to Section 5. The implementation of this statute was objected to by him on June 26, 1969. Because of his earlier objection to the enabling legislation and federal court decisions affecting at-large election problems, I must advise you that the Attorney General objects to an apportionment plan by East Feliciana Parish which incorporates these same characteristics. In the case of Oyer v. Love, 307 F. Supp. 974 (N.D. Miss. 1969), the court ruled that as a result of the Attorney General's objection to the implementation of a state statute authorizing at-large elections for boards of supervisors in Mississippi, the supervisors "do not have statutory power or authority to provide" for such elections.

While we are aware of the problems faced by police juries in dealing with reapportionment problems, we must conclude that the police jury lacks power to provide for at-large elections.

Moreover, this plan may very well be objectionable on its merits. Under the existing plan six of the eight districts are majority Negro. While the parish as a whole does have an overall population which is 53.1% black, we note that the voting age population in the parish is majority white. In such a setting the dilutive effect on the parish's black voting strength would seem clear.

Please be assured, however, that any new plan which the police jury adopts will receive our prompt consideration.

Sincerely,

DAVID L. NORMAN
Assistant Attorney General
Civil Rights Division