

MAR 24 1978

Mr. Jimmy Goodson  
Dean of Administrative Services  
Southwest Texas Junior College  
Real, Uvalde, and Zavala Counties  
Uvalde, Texas 78801

Dear Mr. Goodson:

This is in reference to the polling place change for the election of Trustees of the Southwest Texas Joint County Junior College District, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. Your submission was received on February 27, 1978.

Your submission involves a change in the Crystal City polling place from the S and L Building to the Zavala Agricultural Exposition Building. Your submission explains that "control of the building housing the existing polling place has changed hands and the new parties are reluctant to allow its continued use as a polling place. The proposed new site will provide better facilities, more parking area, and is equally accessible to all Crystal City voters as the former site was."

Under Section 5 of the Voting Rights Act, changes such as the one in question here cannot be made unless the Attorney General is persuaded that they do not have the purpose and will not have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. In order to make the determination required of the Attorney General under Section 5 we have carefully studied the information you have provided as well as information provided by and views of other interested persons.

Based on this inquiry, it is our understanding that the S and L Building remains available as a polling place and indeed will be used on April 1, 1978 as the polling place for the Zavala County Board of Education. Concern has been expressed to us that the use of a polling place at a separate location by the Junior College District will have the effect of reducing Mexican American participation in the election. In addition, we have been told that Mexican Americans are generally less familiar with the Agricultural Exposition Building than with the S and L Building, and feel less welcome there.

Under these circumstances, we are unable to conclude that the polling place change in question does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race, color, or membership in a language minority group. Accordingly, on behalf of the Attorney General, I must interpose an objection to the change in the location of the Crystal City polling place for the election of Trustees of the Southwest Texas Joint County Junior College District from the S and L Building to the Zavala Agricultural Exposition Building.

Under the Procedures for the Administration of Section 5, 28 C.F.R. 51.21(b), 51.23, and 51.24, you may request the Attorney General to reconsider this objection. In addition, as provided by Section 5, you have the right to seek a declaratory judgment from the United States District Court for the District of Columbia that this polling place change does not have the prohibited discriminatory purpose or effect. However, until the objection is withdrawn or the declaratory judgment obtained, the change is legally unenforceable.

Finally, because an election is scheduled to be held on April 1, 1978, please notify us immediately, by telephoning Voting Section Attorney David H. Hunter at 202-739-3349, of the Junior College District's response to this objection.

Sincerely,

John Huerta  
Acting Assistant Attorney General  
Civil Rights Division