

OCT 1 1971

Mr. Charles M. Jones  
Attorney at Law  
The Lawyers Building  
206 East Court Street  
Hinesville, Georgia 31313

Dear Mr. Jones:

Reference is made to the annexation and the changes in voting procedure in the city charter of Hinesville, submitted pursuant to Section 5 of the Voting Rights Act of 1965.

The Attorney General will not at this time interpose any objections to the annexation or to the changes in the date and time of city elections or to the change in the date for closing the city's registration books. In this connection, we feel a responsibility to point out that Section 5 of the Voting Rights Act expressly provides that the failure of the Attorney General to object does not bar any subsequent judicial action to enjoin the enforcement of these changes.

I must, however, interpose objection on behalf of the Attorney General to the submitted provisions for a majority (runoff) requirement in city council and mayoralty elections and for numbered posts in the city council elections. Based on all the available facts and circumstances, we are unable to conclude, as we must under the Voting Rights Act, that these changes will not have a discriminatory racial effect on voting.

Should you wish to present justification for the changes objected to, or evidence that their implementation would not violate Section 5 of the Voting Rights Act of 1965, we will consider the matter further.

Of course, as provided for by Section 5, you have the alternative of instituting an action in the United States District Court for the District of Columbia for a declaratory judgment that the changes do not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color.

Sincerely,

DAVID L. NORMAN  
Assistant Attorney General  
Civil Rights Division