

JUN 4 1971

DJ 166-012-3

Mr. Charles E. Cassidy
Assistant District Attorney
Thirty-First Judicial District
P. O. Box 488
Jennings, Louisiana 70546

Dear Mr. Cassidy:

This is in reference to the changes in Jefferson Davis Parish Police Jury election districts submitted by your letters of March 10 and April 1, 1971, to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965.

We have given careful consideration to the submitted changes and supporting information as well as information received from private citizens. The Attorney General does not interpose an objection to the reapportionment except as noted below.

As applied to questions arising under the Fifteenth Amendment, the holding of the three-judge panel in Chevis v. Whitecomb, 305 F. Supp. 1367 (S.D. Ind 1969) prohibits the technique of multi-member districts where such districts tend to minimize the voting strength of cognizable racial

minorities. The available population statistics for Jefferson Davis Parish reflect that a cognizable Negro minority is located within proposed District 2 in such a manner and in sufficient numbers that their vote is minimized when cast and counted with the larger number of votes cast by the racial majority in the multi-member district. In other words, the technique of the multi-member district deprives the cognizable racial minority of the opportunity to elect police jurors who would be directly responsible to such voters.

Although Chevis is no direct appeal to the Supreme Court and is now awaiting decision on the merits, so long as the District Court's opinion there is undisturbed, the Attorney General cannot approve a redistricting plan involving the creation of a multi-member district such as proposed for District 2, as discussed above.

Should you wish to submit any facts in refutation of the conclusions in this letter, or an alternative plan of reapportionment which will not contain the infirmities of the instant plan, such facts or plan will be given prompt and careful consideration. Of course, as provided by Section 5 you have the alternative of instituting an action in the United States District Court for the District of Columbia seeking a judgment declaring that this present submission does not have the purpose and will not have the effect of denying or abridging the right to vote on account of race or color.

Our assessment of the Jefferson Davis Parish reapportionment plan also indicates that the resulting

districts deviate substantially from the one-man, one-vote requirements of Kirkpatrick v. Preisler, 394 U.S. 526 (1969). The parish may also wish to consider this problem in connection with any changes which may be made in the submitted reapportionment plan.

Sincerely,

DAVID L. NORMAN
Acting Assistant Attorney General
Civil Rights Division