

D.J. 166-012-3
V6572

MAY 9 1975

Mr. A. J. Welch, Jr.
41 Keys Ferry Street
Post Office Box 307
McDonough, Georgia 30253

Dear Mr. Welch:

This is in reference to the change in election registration and qualification enacted by the City of Stockbridge, Georgia, May 13, 1974, which you submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965. Your submission was completed March 10, 1975.

We have given careful consideration to the submitted change and supporting information. Our analysis indicates that the change in registration procedures would require electors in Stockbridge to register anew in the city to qualify to vote in city elections. According to information you have furnished us, all or at least the vast majority of eligible voters in the city are already qualified to vote in municipal elections under the present system of county registration. It is also our understanding that as the system is presently constituted, prospective voters may take advantage of deputy registrars who go into local communities to register people to vote and that many people, particularly blacks, have taken advantage of this opportunity, which has been made especially attractable to them through a deputy registrar of their own group. You have indicated to our attorneys that no such opportunity would be available in registration for municipal elections under the proposed new system.

Under these circumstances we are unable to conclude, as we must under the Voting Rights Act of 1965, that the implementation of such a separate registration requirement for the City of Stockbridge will not have the effect of denying or abridging the right to vote on account of race or color. I must, therefore, on behalf of the Attorney General, interpose an objection to the implementation of the requirement of a separate registration for Stockbridge municipal elections.

We appreciate the fact that a city such as Stockbridge may have a legitimate interest in maintaining its own registration system. Should the city, therefore, wish to modify its proposed system to eliminate the potential for abridgement of voting rights, such as making it applicable to in futuro registration and including an accommodation to the black community at least comparable to that in the existing system, the Attorney General will reconsider the matter upon being so advised.

Of course, Section 5 permits you to seek a declaratory judgment from the United States District Court for the District of Columbia that this plan neither has the purpose nor will have the effect of denying or abridging the right to vote on account of race or color. However, until such a judgment is rendered by that Court, the legal effect of the objection by the Attorney General is to render unenforceable the requirement of separate registration for municipal elections in Stockbridge.

Sincerely,

J. Stanley Pottinger
Assistant Attorney General
Civil Rights Division