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DJ 166-012-3  
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AUG 2 1976

Mr. James Mason  
Superintendent  
Hawkins Independent School  
District  
Post Office Drawer L  
Hawkins, Texas 75755

Dear Mr. Mason:

This is in reference to the change to a numbered post provision and majority vote requirement for the election of the Board of Trustees of Hawkins Independent School District, Texas, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act of 1965, as amended. Your submission was completed on June 3, 1976.

We have given careful consideration to the information furnished by you. On the basis of our analysis and comments from interested parties, as well as analysis of recent court decisions, we are unable to conclude, as we must under the Voting Rights Act, that the numbered post provision and the majority vote requirement will not have a racially discriminatory effect. Our analysis reveals that blacks constitute a substantial proportion of the population of the Hawkins Independent School District and that bloc voting along racial lines may exist. Under these circumstances, recent Supreme Court decisions, to which we feel obligated to give great weight, indicate that the combination of the above features may have the effect of abridging minority voting rights. See White v. Regester, 412 U.S. 755 (1973); Whitcomb v. Chavis, 403 U.S. 124 (1971).

Accordingly, on behalf of the Attorney General I must interpose an objection to the implementation of numbered post and majority vote requirement of electing the Board of Trustees for Hawkins Independent School District. Of course, as provided by Section 5 of the Voting Rights Act, you have the right to seek a declaratory judgment from the District Court for the District of Columbia that these changes neither have the purpose nor will have the effect of denying or abridging the right to vote on account of race. Until such judgment is rendered by that Court, however, the effect of the objection by the Attorney General is to make the changes in question legally unenforceable.

Sincerely,

J. Stanley Pottinger  
Assistant Attorney General  
Civil Rights Division