

FILED
USDC, WESTERN DISTRICT OF LA
ROBERT H. SHEMPELL, CLERK
DATE 01/27/90
BY SPJ

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION

THE UNITED STATES OF AMERICA,)

Plaintiff,)

v.)

CITY OF MORGAN CITY, LOUISIANA;)
TIMOTHY MATTE, Mayor of Morgan)
City; CITY COUNCIL OF THE CITY)
OF MORGAN CITY; JARROD K.)
LONGMAN, JO ANN C. BLANCHARD,)
LOGAN J. FROMENTHAL, JR.,)
WILLIAM H. JOHNSON, JR., and)
LEON KAHN, Members of the City)
Council of Morgan City;)

Defendants.)

CV00-1541

CIVIL ACTION NO.

L-0

JUDGE MELANÇON

MAGISTRATE JUDGE METHVIN

COMPLAINT

The United States of America, plaintiff herein, alleges:

1. The Attorney General files this action pursuant to Sections 2 and 12(d) of the Voting Rights Act of 1965, as amended, 42 U.S.C. 1973, and 42 U.S.C. 1973j(d).

2. The Court has jurisdiction of this action pursuant to 28 U.S.C. 1345 and 42 U.S.C. 1973j(f).

3. Defendant City of Morgan City (hereafter referred to as "Morgan City") is a political and geographical subdivision of the State of Louisiana.

COPY

4. Defendant City Council of the City of Morgan City (hereafter "City Council") is the body established under the laws of the State of Louisiana that, together with the Mayor, is responsible for governing Morgan City.

5. The Mayor of Morgan City is Timothy Matte. He is a resident of Morgan City and is named here in his official capacity.

6. The City Council consists of five members. Defendants Jarrod K. Longman, Jo Ann C. Blanchard, Logan J. Fromenthal, Jr., William H. Johnson, Jr., and Leon Kahn are the current members of the City Council. Each of these persons is a resident of Morgan City and is sued in his or her official capacity.

7. According to the 1990 Census, Morgan City has a total population of 14,531 persons, of whom 3,311 (22.8%) are black.

8. The members of the City Council are elected to four-year, concurrent terms through an at-large method of election. Elections for the City Council are non-partisan, and a majority vote requirement applies in the primary elections.

9. There has never been a black person elected to the City Council of Morgan City.

10. The black population of Morgan City is sufficiently numerous and geographically compact that a properly apportioned single-member district plan for electing the defendant City Council can be drawn in which black voters would constitute a voting age majority in one district out of five.

11. Black voters in Morgan City are politically cohesive. Racially polarized voting patterns prevail in elections for the City Council of Morgan City. In contests between black and white candidates for the City Council, black voters consistently vote for black candidates and white voters vote sufficiently as a bloc to usually defeat the black voters' candidates of choice.

12. Black persons in Morgan City have suffered from a history of official discrimination in voting and other areas that has affected the right of black persons to participate effectively in the political process.

13. The majority vote requirement for city council elections enhances the opportunities for discrimination against black voters.

14. Black persons in Morgan City bear the effects of past discrimination in areas such as education, employment, and housing, as reflected in their depressed socioeconomic status relative to white residents of Morgan City. These effects of past discrimination hinder the current ability of black persons to participate on an equal basis with white voters in elections in Morgan City.

15. The at-large election system for electing the City Council of Morgan City has had the effect of diluting black voting strength, resulting in black citizens being denied an opportunity equal to that afforded to other members of the electorate to participate in the political process and elect

representatives of their choice, in violation of Section 2 of the Voting Rights Act, 42 U.S.C. 1973.

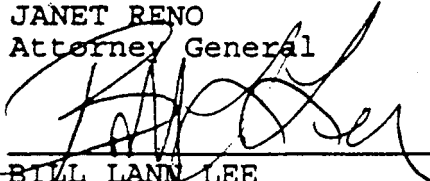
16. Unless enjoined by order of this Court, defendants will continue to administer, implement, and conduct elections for the City Council of Morgan City using the current electoral scheme, in violation of Section 2 of the Voting Rights Act, 42 U.S.C. 1973.

WHEREFORE, the United States of America prays that this Court enter an order:

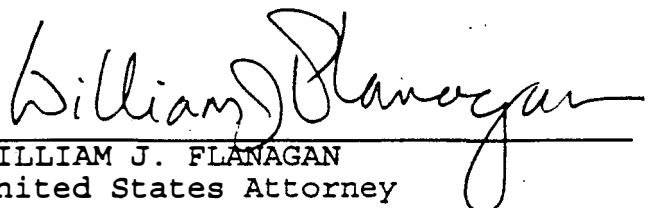
- (1) Declaring that the at-large method of electing the City Council of the City of Morgan City, Louisiana, violates Section 2 of the Voting Rights Act of 1965, 42 U.S.C. 1973;
- (2) Enjoining the defendants, their agents and successors in office, and all persons acting in concert with any of them, from administering, implementing, or conducting any future elections for the City Council of the City of Morgan City, Louisiana, under the current at-large method of election;
- (3) Ordering the defendants to promptly devise and present for the requisite preclearance under Section 5 of the Voting Rights Act of 1965, 42 U.S.C. 1973c, an election plan for the City Council of the City of Morgan City, Louisiana, which remedies the Section 2 violation; and

- (4) Ordering such additional relief as the interests of justice may require, together with the costs and disbursements of this action.

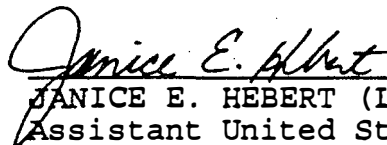
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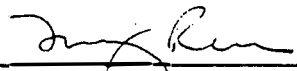
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