

## OFFICE OF THE ATTORNEY GENERAL

2021 Dec-23 PM 07:30  
U.S. DISTRICT COURT  
N.D. OF ALABAMA

JIMMY EVANS  
ATTORNEY GENERAL  
STATE OF ALABAMA

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April 15, 1992

Honorable John Tanner  
Voting Section  
Civil Rights Division  
U. S. Department of Justice  
HOLC Building -- Room 716  
320 1st Street, N.W.  
Washington, D.C. 20001

Re: March 27, 1992 Objection to State of Alabama  
Redistricting Plan (Act No. 92-63);  
Wesch v. Hunt, No. 91-0787 (S.D. Ala. March 9, 1992)

Dear Mr. Tanner:

This is in reference to the March 27, 1992 objection interposed by the U. S. Department of Justice to the State of Alabama's congressional redistricting plan (Act No. 92-63) and its effect on the redistricting plan adopted by the Court in Wesch v. Hunt (No. 91-0787, S.D. Ala. March 9, 1992).

In the Justice Department's letter of objection, Assistant Attorney General John R. Dunne indicates that the State of Alabama's plan failed Section 5 review due to what the letter terms the "unnecessary fragmentation" of Alabama's black population outside the majority black congressional district. The letter, however, is unclear as to exactly what steps should be taken to remedy this fragmentation. The letter indicates that Alabama's black population outside the majority black congressional district should be placed in a second district, but it is unclear as to whether this is to create a minority influence district or a second majority black district, and, if the Justice Department requires the creation of a second majority black district, what percentage black populations would be acceptable in both the first and the second black

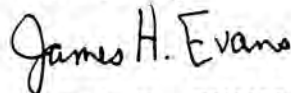
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districts. In the letter, Mr. Dunne only refers to African-Americans constituting a majority of the voting age population. Please clarify the Justice Department's requirements in this respect.

Secondly, the plan adopted by the Court in Wesch v. Hunt (No. 91-0787, S.D. Ala. March 9, 1992), "The 1992 Alabama Redistricting Plan," creates a single majority black congressional district, in which blacks constitute 67.53% of the total population, and disperses the remaining black population of the state among the six other districts. In none of these other districts does the minority population exceed 30% of the total population. Therefore, the Court-ordered plan in Wesch v. Hunt suffers from precisely the same deficiencies as were cited by the Justice Department in its objection to the State of Alabama's congressional redistricting plan in terms of its fragmentation of black population outside the majority black congressional district and in its failure to create a second black majority or influence district. Given the fact that the Court-ordered plan contains these deficiencies, does the Justice Department intend to undertake post-judgment intervention or otherwise seek to modify the judgment in Wesch v. Hunt? Please advise us on the course of action you plan to pursue.

If you have any questions regarding the above, please do not hesitate to contact this office.

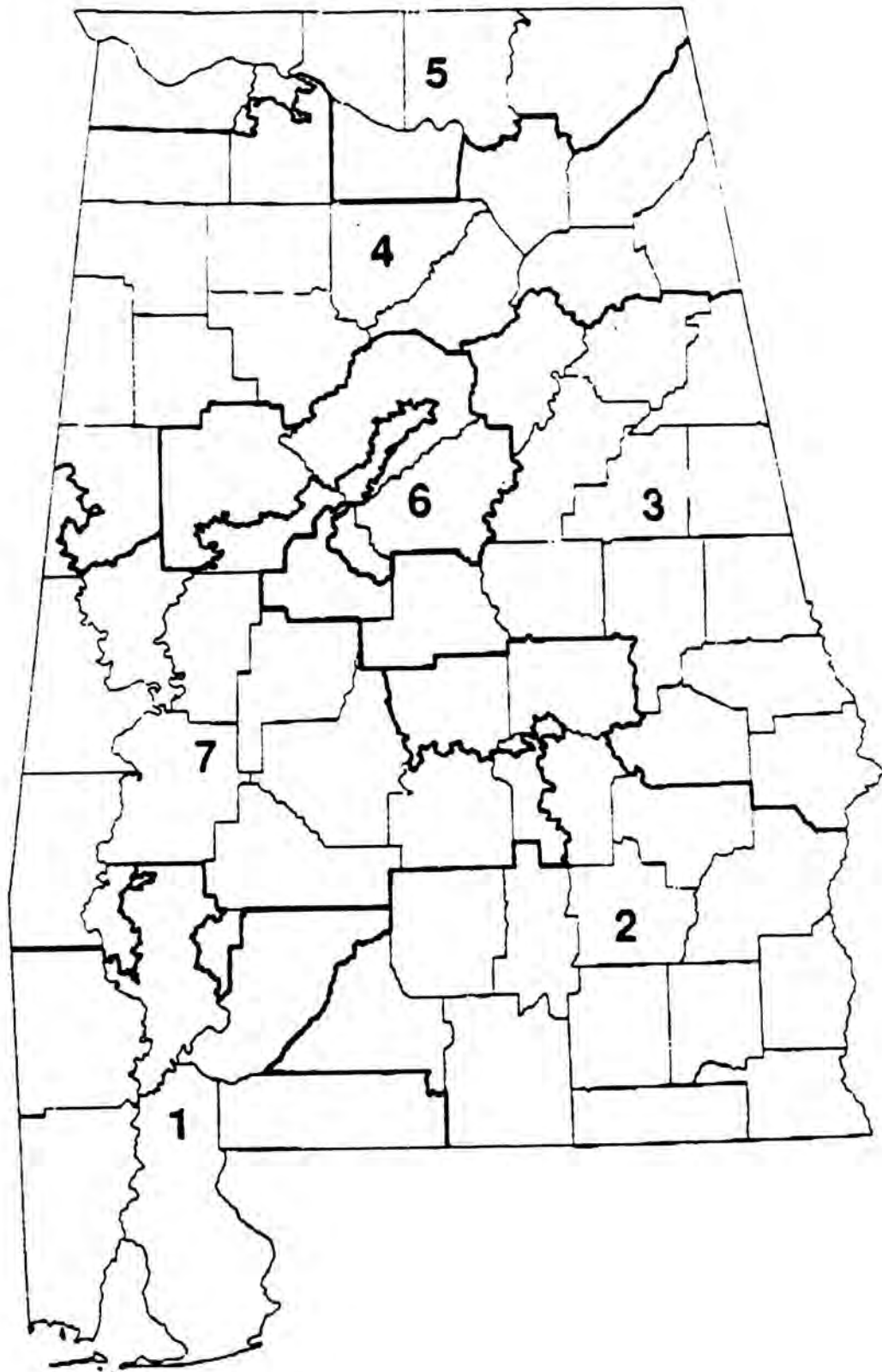
Sincerely,



JAMES H. EVANS  
ATTORNEY GENERAL  
STATE OF ALABAMA

JHE/MPA/vec

Encl: Map of "1992 Alabama Redistricting Plan"  
Statistical Summary of Plan  
1313A





DB: ALABAMA

District Summary  
Total Populations, All Ages  
Plan: 1992 Alabama Redistricting Plan

Date: 1/27/92  
Time: 11:32 a.m.  
Page: 1

Plan type: CONGRESSIONAL DISTRICTS

District Name	Total Pop.	Total White	Total Black	Total Am. Ind.	Total Asian/PI	Total Other
District 1	577,226 100.00%	403,193 69.85%	164,448 28.49%	4,944 0.86%	3,776 0.65%	865 0.15%
District 2	577,227 100.00%	431,639 74.78%	139,265 24.13%	1,692 0.29%	3,362 0.58%	1,269 0.22%
District 3	577,227 100.00%	422,187 73.14%	149,922 25.97%	1,136 0.20%	3,008 0.52%	974 0.17%
District 4	577,227 100.00%	534,038 92.52%	38,020 6.59%	3,541 0.61%	1,053 0.18%	575 0.10%
District 5	577,227 100.00%	481,509 83.42%	85,945 14.89%	3,540 0.61%	5,145 0.89%	1,088 0.19%
District 6	577,226 100.00%	517,777 89.70%	53,309 9.24%	1,054 0.18%	4,408 0.76%	678 0.12%
District 7	577,227 100.00%	185,454 32.13%	389,796 67.53%	599 0.10%	1,045 0.18%	333 0.06%
Total	4,040,587 100.00%	2,975,797 73.65%	1,020,705 25.26%	16,506 0.41%	21,797 0.54%	5,782 0.14%