

SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT

212 EAST HOUSTON ST., SUITE 401 SAN ANTONIO, TEXAS 78205, AC/512-222-0224

CHAIRMAN

MACLOVIO BARRAZA

EXECUTIVE DIRECTOR

WILLIAM C. VELASQUEZ

MEMORANDUM

TO: Ruben Bonilla
Dr. Hector Garcia
Jose Cano
George Korbel

FROM: Rolando L. Rios *RJR*

RE: Lubbock County

DATE: December 6, 1979

We are in the process of deciding whether or not to file suit in Lubbock, Texas. Willie wanted me to keep you informed on the status of our Lubbock work; thus I enclose the correspondence we have had on this matter.

SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT

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CHAIRMAN
LOVIO BARRAZA

December 5, 1979

UTIVE DIRECTOR
IAM C. VELASQUEZ

Joaquin Avila
Mike Baller
MALDEF
517 Petroleum Commerce Bldg.
201 N. St. Mary's Street
San Antonio, TX 78204

Dear Joaquin and Mike:

Enclosed is a copy of the correspondence we have had with the Lubbock County Judge. According to our analysis, they are in violation of the one person/one-vote rule with a top to bottom deviation of at least 14.9% (in fact, probably higher).

The local community is very well organized and want us to pursue this matter into the courts if necessary. Our organization will handle any pre-litigation negotiations; however, if we have to go to court, I would recommend to Willie that we file suit only if MALDEF joins us as co-counsel. Lubbock is a big county, population 179,292, the political stakes are high and it is likely that Lubbock would wage a strong legal battle. Our limited legal resources makes it necessary to have MALDEF join us.

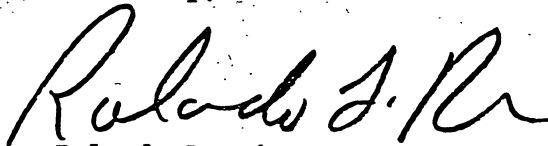
Personally, if we all agree the law is on our side, this suit would be worth while because:

1. The Chicano community is large, approximately 35,000 people, and very well organized. Recently they were successful in getting minority representatives on the local Area Council of Governments advisory board. This representation was heavily opposed by the Lubbock County Judge.
2. A successful law suit would have a spill-over effect on the surrounding area. We all know how desperate that area needs to increase Chicano political participation. Further, we will be traveling up there on our other suits, thus it may cut down on our costs.

3. In 1970, the Chicanos ran a Chicana candidate, Pauline Jacobo, against County Commissioner Alton Brazell. It was a bitter campaign with Chicanos launching a strong well organized registration drive (they registered between 3,300 to 3,500 voters). The Chicana lost the election but her performance was formidable.
4. After the election in 1972 before the Voting Rights Act took effect, Alton Brazell pushed through the commissioners court the presently existing apportionment plan. He carved out more Anglo votes into his district so that in 1974 he could not be challenged. There is no doubt in my mind that this was intentional gerrymandering.
5. Finally and most importantly, the community wants our help. They have a Conference of Organizations consisting of 25 local Chicano groups--LULAC, GI Forum, etc.--that feels a law suit would serve as a rallying base for the coming elections.

Please let me know what your thoughts are on this matter.

Sincerely,



Rolando L. Rios
Director of Litigation

CC: Willie Velasquez
Roberto Delgado, Lubbock County
Eliseo Solis, Lubbock County

SOUTHWEST VOTER REGISTRATION EDUCATION PROJECT

212 EAST HOUSTON ST., SUITE 401 SAN ANTONIO, TEXAS 78205, AC/512-222-0224

CHAIRMAN
ACLOVIO BARRAZA

November 14, 1979

EXECUTIVE DIRECTOR
WILLIAM C. VELASQUEZ

Robert L. Shaw
County Judge
Lubbock County Courthouse
Lubbock, TX 79401

Dear Judge Shaw:

I am writing as an attorney representing several residents of Lubbock County. You may recall my letter to you of August 29, 1979 and our meeting of September 5, 1979 concerning the County Commissioner Precincts. My staff has completed an indepth analysis of the presently existing Commissioner Precincts and have concluded that the presently existing precincts are malapportioned. Our findings indicate there is at least a 14.9% total deviation between Commissioner Precinct 1 and 2. This is a clear violation of the standard set by the Supreme Court in White v. Regester where the court stated that deviations above 10% would not be tolerated unless "based on legitimate considerations incident to the effectuation of a rational state policy." (White v. Regester, 412 US 755, 764).

Below is our analysis for Commissioner Precincts 1 and 2; we used 1970 census data and census tract maps. This data is available at any public library.

Commissioner Precinct 1

By plotting the presently existing commissioner precinct lines onto the census maps, we find the following tracts with the corresponding population within Precinct 1:

Census tract 104-----	7,335	population
" " 17.03-----	3,320	"
" " 17.02-----	4,083	"
" " 17.01-----	666	"
" " 18.01-----	7,089	"
" " 18.02-----	1,176	"
" " 19.01-----	5,981	"

Census tract 19.02-----	7,287	population
" " 20-----	5,575	"
" " 21-----	6,035	"
" " 105-----	0	population
	48,547	total population

Observe that while only part of Census Tract 105 is within Precinct 1, we assume that none of the population is within the precinct. This assumption is made because we do not know for sure how many people from Tract 105 actually live within Precinct 1. Further, this assumption is to your advantage since it is likely that some of the people in Tract 105 in fact live in Precinct 1.

All the other tracts are wholly within commissioner Precinct 1, resulting in a total population of 48,547. This deviates from the ideal precinct of 44,823 by 8.31%.

Commissioner Precinct 2

Precinct 2 contains the following Tracts:

Census tract 107-----	1,173	population
" " 106-----	6,583	"
" " 12.01-----	408	"
" " 12.02-----	4,188	"
" " 13-----	3,809	"
" " 23-----	4,673	"
" " 24-----	7,346	"
" " 22-----	8,871	"
Enumeration District 4-----	506	"
" " 5-----	699	"
" " 50-----	1,539	"
" " 51-----	450	"
" " 203-----	988	"
Blocks 101-907 of Tract 105-----	635	"
	41,868	total population

Here again we make an assumption that is to your advantage. Enumeration District 4 is split by the Commissioner Precinct lines, but we assume all the population is within Precinct 2. Even with this assumption, we end up with a total population of 41,868 for Precinct 2, which is a 6.59% deviation from the ideal of 44,823.

As you can see, the total deviation between both precincts is 14.90%; however, in fact there is probably a higher deviation that can be determined by having the Census Bureau split Census Tract 105 and Enumeration District 4.

Please confirm or rebut our findings. If our findings are confirmed, please state what your justification is for permitting such population disparities.

It is our position that unless the facts we have stated are rebutted, a constitutional infirmity exists and the presently existing precinct lines should be adjusted.

This matter is of great importance to the voters of Lubbock County; we look forward to hearing from you within the next ten (10) days.

Sincerely,



Rolando L. Rios

Director of Litigation

CC: Edgar Chance, Commissioner Precinct 1
5422 28th
Lubbock, TX 79401

Coy Biggs, Commissioner Precinct 2
340 S. 10th
Slaton, TX 79364

James Lancaster, Commissioner Precinct 3
Box 433
Idolou, TX 79329

Alton Brazell, Commissioner Precinct 4
4801 11th
Lubbock TX 79416

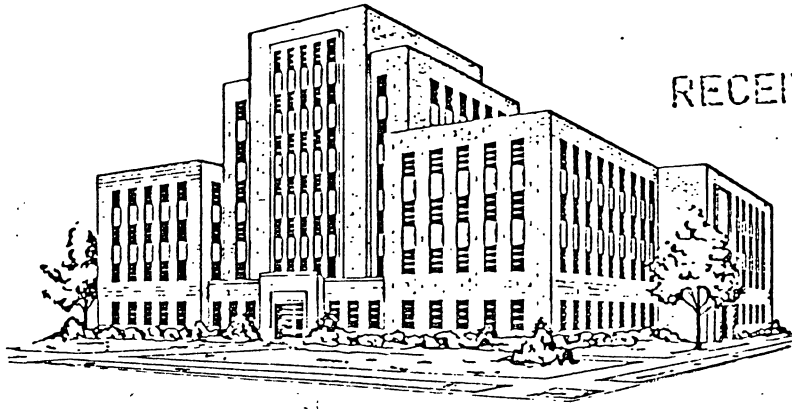
Willie Velasquez
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212 E. Houston
San Antonio, TX 78205

Joaquin Avila
MALDEF
201 N. St. Mary's
San Antonio, TX 78205

Jose Garza
MALDEF
201 N. St. Mary's
San Antonio, TX 78205

John Huerta
Civil Rights Division
Washington, D.C.

RODRICK L. SHAW
COUNTY JUDGE
101 COURTHOUSE
763-5351 EXT. 202



RECEIVED NOV 26 1979

LUBBOCK COUNTY

LUBBOCK, TEXAS

November 21, 1979

Mr. Rolando L. Rios
Southwest Voter Registration Education Project
212 East Houston Street Suite 401
San Antonio, Texas 78205

Re: Lubbock County Commissioners' Precincts

Dear Mr. Rios:

Your letter of November 14, 1979, arrived on the 19th, and we will begin Thanksgiving Holidays tomorrow, and I have a Dallas meeting November 26th-28th. Therefore, I will have no opportunity to analyze your letter until after that.

As I told you when we met in my office, we changed the Commissioners boundaries around 1971 based on the 1970 Census and endeavored to equalize the population in four Precincts. Mr. Alton Brazell, Commissioner Precinct 4, did the major portion of the detail work and I recall he used Census Tracts and spent a lot of time conscientiously trying to do as close a job as could reasonably be done. He explained his work and the Commissioners Court examined it and approved it.

I will write you when I have a chance to look at this matter in a couple of weeks as it is impossible to get to it any sooner.

Sincerely,

Rodrick L. Shaw

Lubbock County Judge

RLS/hr