Memo upholds Treen in remap dispute

By JOHN LAPLANTE
Capitol news bureau

Gov. Treen was motivated by political, not racial, concerns when he got involved in drawing Louisiana's congressional districts two years ago, according to the federal official who decided the maps are fair to minorities.

"This is simply no sound basis to conclude that minority communities suffered any dilution in voting strength as a result of the new plan," William Bradford Reynolds wrote in a memo made public Wednesday.

Reynolds is the assistant U.S. Attorney General in charge of civil rights.

Treen released a copy of the memo in response to a report by one of Reynolds' subordinates, U.S. Justice Department staff attorney Robert Kwan, recommending Reynolds reject the plan approved by the Legislature in 1981 because it was intended to discriminate against black voters.

Treen said he resented news stories about the staff report, which concluded Treen was motivated by racial prejudice when he threatened to veto a map that would have created a congressional district with a majority-black population.

Treen said he had no objection to allowing blacks a majority in the 2nd District based in New Orleans.

He said he opposed that plan for other reasons, mainly because it would greatly rearranged traditional district lines, particularly the 1st District of fellow Republican Bob Livingston.

"The Justice Department is satisfied that the Governor's role in the redistricting process was political, and was in no respect informed by racial animus," Reynolds wrote in the memo.

The Morning Advocate had unsuccessfully attempted to obtain a copy of the memo — and any other response from Reynolds — before publishing news stories about Kwan's report, which was made public by civil rights attorneys challenging the plan in court. A decision on the court case is at least two months away.

Treen said he obtained a copy of Reynolds' memo Tuesday from the Justice Department.

The three-page document was addressed to "The File" and was dated June 18, 1982 — the day Reynolds announced approval of the state's congressional boundaries.

Under the U.S. Voting Rights Act, the Justice Department must review all Louisiana election laws to determine if they have the effect or intent of diluting minority voting strength.

Kwan, head of a legal team that...

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analyzed the redistricting plan, concluded in a 30-page analysis that Treen was the major factor in drawing the maps and that he was motivated by race in his decisions.

"I was not motivated by race," Treen said Wednesday.

He said Kwan's conclusions were ludicrous. Treen said the law does not require that the Legislature create a black-controlled district whenever possible, but only that the state not act to reduce minority power in the political system.

Treen said the plan he signed into law actually increased the black population in the 2nd District from 41 to 45 percent, without severely reducing black voting strength in surrounding districts.

Treen predicted a black candidate will be elected from that district as soon as popular white Rep. Lindy Boggs, D-New Orleans, retires from Congress. She has been considering retirement for some time.

Treen said that if he had wanted to dilute black voting power, he would have proposed boundary lines concentrating as many black voters as possible into one district, leaving the surrounding districts overwhelmingly white.

In his memo, Reynolds said he approved the congressional boundaries after "full discussion with both proponents and opponents of the redistricting."

Reynolds said Treen's comments on redistricting "indicate no more than the Governor's honest belief as to the legal requirements imposed by the Constitution and the Voting Rights Act..." From a purely legal point of view, the Governor's understanding of the law is absolutely correct, and his forthrightness in expressing such an opinion bespeaks no racial purpose."

Black leaders and groups, particularly the NAACP, which is sponsoring the lawsuit challenging the districts in court, say the Legislature would have approved a plan creating a black district if Treen had not threatened to veto it.

Attorneys handling the lawsuit say the Justice Department would have rejected the plan, but that Treen used his influence with the Republican Reagan administration to get the plan approved.

Treen said he presented facts and opinions to Reynolds to convince him the congressional maps are fair to blacks, but he said he never used connections with the White House to get the plan approved.

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