



Civil Rights Division

JDR:JR:ALF:SMC:ADM:nj  
DJ 166-012-3  
2003-2907  
2003-3191

*Voting Section - NWB.  
950 Pennsylvania Avenue, N.W., Room 7254  
Washington, DC 20530*

September 4, 2003

Mr. Tony Anchundo  
County Registrar of Voters  
P.O. Box 1848  
Salinas, California 93902

Dear Mr. Anchundo:

This refers to (i) the procedures for conducting the October 7, 2003, special tax election, (ii) the subsequent cancellation of that election, and the change to by-mail voting only for that election; (iii) the change in the number of bilingual poll workers; (iv) the addition and realignment of voting precincts; (v) the numerous consolidations of voting precincts and polling places for elections conducted from March 1995 to November 2002; (vi) the procedures for conducting the October 7, 2003, special statewide referendum election, including the numerous consolidations of voting precincts and polling places and the polling place change for Monterey County, California, submitted to the Attorney General pursuant to Section 5 of the Voting Rights Act, 42 U.S.C. 1973c. We received your submissions on August 15 and September 2, 2003; supplemental information was received through September 4, 2003.

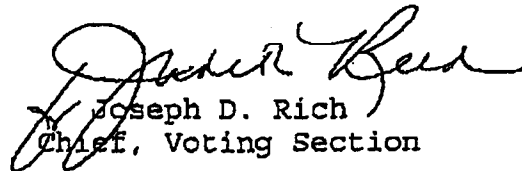
With the exception of the changes identified below, for which we have not yet completed our review, the Attorney General does not interpose any objection to the submitted changes. However, we note that Section 5 expressly provides that the failure of the Attorney General to object does not bar subsequent litigation to enjoin the enforcement of the changes. In addition, as authorized by Section 5, we reserve the right to reexamine these changes if additional information that would otherwise require an objection comes to our attention during the remainder of the sixty-day review period. See the Procedures for the Administration of Section 5 (28 C.F.R. 51.41 and 51.43).

We are continuing our review of the change in the number of bilingual poll workers, as well as the following voting precinct and polling place consolidations: Salinas 202, 203, 204, 415 and 418 (Vineyard Christian Fellowship); Salinas 504, 601, 604 and 605 (Regency Court Seniors Apartment Recreation Room); Salinas 201, 412, 413, 414 and 417 (Sherwood School entrance hall); Salinas 501 and 502 (Lampighter Club Room); Natividad 1 and 2 and Rita 4 and 5 (Sheriff's Posse Club House); Salinas 302, 304 and 305 (Salinas Recreation Department Room 3); Elk Lake 1 and 2 (Echo Valley School library); Seaside 6 and 8 (Boys and Girls Club of Monterey County); and Pajaro 3, 4, 5, 7 and 8 (Full Gospel Church of Las Lomas). We are continuing to evaluate whether, based on the information the county has provided to date, we have sufficient information for the Department to make the necessary determination under Section 5.

In light of your request to expedite our review and because the three-judge court in Salazar v. Monterey County, C-03-03584JF (N.D. Cal.) has scheduled a hearing tomorrow morning, please call Ms. Judith Reed (202-305-0164), an attorney on our staff, as soon as possible to confirm a mutually acceptable time to discuss these changes and what additional information, if any, the Attorney General may require. Following the receipt of any such additional information, we believe we can provide the county with a determination very expeditiously.

Because the Section 5 status of the instant changes are before the court in Salazar v. Monterey County, and in Oliveres v. California, C-03-3658SI (N.D. Cal.), we are providing a copy of this letter to the court and counsel of record in both cases.

Sincerely,

  
Joseph D. Rich  
Chief, Voting Section

cc: The Honorable Jeremy Fogel  
Counsel of Record, Oliveres v. California  
Counsel of Record, Salazar v. Monterey County