

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

CITY OF WEST MONROE; STACI ALBRITTON
MITCHELL, in her official capacity as Mayor of West
Monroe; and JAMES D. BRIAN, MORGAN LOWE
BUXTON, THOM HAMILTON, TREVOR LAND,
and BEN WESTERBURG, in their official capacities
as members of the West Monroe Board of Aldermen,

Defendants.

Civil Action No. 3:21-cv-0988

COMPLAINT

The United States of America, plaintiff herein, alleges:

1. The Attorney General files this action pursuant to Section 2 and Section 12(d) of the Voting Rights Act, 52 U.S.C. §§ 10301 and 10308(d).
2. Section 2 of the Voting Rights Act prohibits enforcement of any voting qualification, prerequisite to voting, standard, practice, or procedure that results in the denial or abridgment of the right to vote on account of race, color, or language minority status.
3. In this action, the United States challenges the method of electing the board of aldermen of the City of West Monroe as a violation of Section 2 of the Voting Rights Act.

JURISDICTION AND VENUE

4. This Court has original jurisdiction of this action under 28 U.S.C. §§ 1331, 1345, and 2201(a) and 52 U.S.C. § 10308(f).
5. Venue is proper in this Court under 28 U.S.C. §§ 98(c) and 1391(b).

PARTIES

6. The Voting Rights Act authorizes the Attorney General to file a civil action on behalf of the United States of America seeking injunctive, preventive, and permanent relief for violations of Section 2 of the Act. 52 U.S.C. § 10308(d).

7. Defendant City of West Monroe is a political and geographical subdivision of the State of Louisiana, situated in Ouachita Parish.

8. Defendant Staci Albritton Mitchell is the elected mayor of the City of West Monroe, the executive officer of the City. W. Monroe Charter art. III, §§ 301, 307. As mayor, she also presides at all public meetings of the mayor and board of aldermen and may cast a tie-breaking vote. *Id.* §§ 301, 309. She is sued in her official capacity.

9. Defendants James D. Brian, Morgan Lowe Buxton, Thom Hamilton, Trevor Land, and Ben Westerburg are elected members of the West Monroe Board of Aldermen, the governing authority of the City for purposes of legislation and policy-making. W. Monroe Charter art. II, § 201. They are sued in their official capacities.

ALLEGATIONS

10. The current method of electing the West Monroe Board of Aldermen dilutes the voting strength of Black citizens, in violation of Section 2 of the Voting Rights Act.

11. The West Monroe Board of Aldermen has five members, elected in at-large contests for concurrent, four-year terms. W. Monroe Charter art. II, § 202. Voters may cast votes for up to five candidates, and the top five finishers are elected. *See* La. Stat. Ann. §§ 18:512(A), 18:522(B).

12. Louisiana law permits but does not mandate the current method of electing the West Monroe Board of Aldermen. *See* La. Stat. Ann. § 33:382(D).

13. According to the 2010 census, West Monroe had a population of 13,065, of whom 7,908 were White (60.5%) and 4,458 were Black (34.1%). The City of West Monroe had a voting-age population of 9,975, of whom 6,593 were White (66.1%) and 2,882 were Black (28.9%).

14. The Black population of West Monroe is sufficiently numerous and geographically compact to constitute a majority of the voting-age population in a single-member district under an illustrative five-district plan.

15. The Black population of West Monroe is politically cohesive, and the White population votes sufficiently as a bloc to usually defeat the preferred candidate of Black voters.

16. Black voters consistently vote for Black candidates for the West Monroe Board of Aldermen and other parish, state, and federal positions.

17. In contests between Black candidates and White candidates for West Monroe Board of Aldermen and other parish, state, and federal positions, White voters cast their ballots sufficiently as a bloc to defeat the minority's preferred candidate.

18. No Black candidate has ever been elected to the West Monroe Board of Aldermen.

19. Since Reconstruction, no Black candidate has ever been elected to a city, parish, or state position that represents all of West Monroe, nor has any Black candidate representing all of West Monroe been elected to the U.S. Congress.

20. No Black individual has ever been appointed to the West Monroe Board of Aldermen.

21. Ouachita Parish, including the City of West Monroe, has a history of official discrimination that touched the right of Black residents to register, to vote, and to participate meaningfully in the democratic process.

22. The Black population of West Monroe continues to suffer from the effects of discrimination in education, policing, and employment, including municipal employment.

23. Significant socioeconomic disparities exist between White and Black residents of West Monroe. These disparities hinder the ability of Black residents to participate effectively in the political process.

24. West Monroe elections are characterized by practices and procedures that impair Black electoral success. These include, but are not limited to, off-cycle elections and unusually large electoral districts.

CAUSE OF ACTION

25. Under the totality of circumstances, the current method of electing the West Monroe Board of Aldermen results in Black citizens having less opportunity than other members of the electorate to participate in the political process and to elect representatives of their choice, in violation of Section 2 of the Voting Rights Act, 52 U.S.C. § 10301.

26. Unless enjoined by order of this Court, Defendants will continue violating Section 2 of the Voting Rights Act by administering, implementing, and conducting future elections for the West Monroe Board of Aldermen using this method of election.

PRAYER FOR RELIEF

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

- (1) Declaring that the current method of electing the West Monroe Board of Aldermen violates Section 2 of the Voting Rights Act, 52 U.S.C. § 10301;

- (2) Enjoining Defendants, their agents and successors in office, and all persons acting in concert with them from administering, implementing, or conducting any future elections for the West Monroe Board of Aldermen under the current method of election;
- (3) Ordering Defendants to devise and implement an election system for the West Monroe Board of Aldermen that complies with Section 2 of the Voting Rights Act; and
- (4) Granting such additional relief as the interests of justice may require.

Date: April 14, 2021

Respectfully submitted,

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