

Common Cause Hits Arizona Voter Law

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Common Cause, the 230,000-member citizens group headed by John W. Gardner, filed a lawsuit yesterday to strike down an Arizona voter registration law that allegedly keeps many Indians, Chicanos and blacks off the voting rolls.

The suit, filed in U.S. District Court here, seeks an injunction that would force U.S. Attorney General John N. Mitchell to withdraw his approval, given Oct. 1, to a law passed by the Arizona legislature requiring voters in the state to re-register every 10 years.

Since minority groups often live in outlying areas of the state and have been shown to have lower re-registration rates than whites, Common Cause argues, the effect of the bill was racially discriminatory under the terms of the Voting Rights Act of 1965.

The act requires that before a state can take such an action it must prove either to the Attorney General or to the U.S. District Court here that the action has no discriminatory intent or effect.

The Common Cause suit said that in giving approval to

the Arizona re-registration, Mitchell and David L. Norman, assistant attorney general in charge of the Civil Rights Division, were "arbitrary, capricious, unlawful," and based their decisions on inadequate fact-finding procedures."

The suit also seeks under federal administrative rules the release of documents that went into the decision making process, including all written communications and memoranda of conversations on the subject by Deputy Attorney General Richard G. Kleindienst and William H. Rehnquist, the President's Supreme Court nominee, then in the Department of Justice.

Release of these documents was denied when they were requested under the Freedom of Information Act, the suit said.

The Voting Rights Act, passed in 1965, affects jurisdictions where fewer than 50 per cent of the voters are registered or where fewer than 50 per cent of the registered voters actually vote. There are nine such counties in Arizona that are the subject of yesterday's suit.