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January 12, 2018

**VIA U.S. MAIL & FAX**

Clayton Moore, President  
Board of Trustees  
Victor Elementary School District  
12219 2nd Avenue  
Victorville, CA 92395  
Fax: (760) 245-6245

Re: Demand for Compliance with California Voting Rights Act

Dear Mr. Moore:

We have received complaints from Latino voters in the Victor Elementary School District (“VESD”) that the use of an at-large system for the election of the Board of Trustees results in Latino vote dilution and prevents Latino voters from electing candidates of their choice. We reviewed demographic and electoral information pertaining to your jurisdiction with particular attention to the protections of the California Voting Right Act of 2001 (“CVRA”). Based on our investigation, we believe that the VESD Board of Trustees is in violation of the CVRA and must convert to a by-district election system.

The CVRA, California Elections Code § 14027, states in relevant part:

An at-large method of election may not be imposed or applied in a manner that impairs the ability of a protected class to elect candidates of its choice or its ability to influence the outcome of an election, as a result of the dilution or the abridgment of the rights of voters who are members of a protected class...

Latino residents of the District are a “protected class” within the meaning of the CVRA. U.S. Census population data shows that Latinos constitute 32.09% of the citizen voting age population of the District. However, it appears that none of the five current members of the Board of Trustees is Latino and that no Latino candidate has ever served on the Board of Trustees. Based on our review of election returns and demographic information, we believe that the lack of success of Latino candidates results from the inability of Latino voters to elect candidates of choice due to racially polarized voting among the electorate, and that continued use of at-large elections therefore violates the CVRA. We demand that the District convert its

Clayton Moore, President

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at-large election system to a district-based electoral system. Under the authority of Government Code § 34886, the District can effectuate that conversion by passage of a resolution, and we demand that it do so without delay.

We request your response to this demand within 45 days of receipt of this letter. In the absence of a satisfactory response, we will be forced to seek judicial relief in the form of an action to obtain an order converting the election system from at-large to by-district, together with other relief provided for in the CVRA, including an award of litigation and expert witness costs, and attorneys' fees. The District can avoid the imposition of a judicially-mandated plan, including district maps designed or approved by the Court, by taking appropriate action without the filing of litigation.

We look forward to your response.

Sincerely,



Tanya G. Pellegrini  
Staff Attorney  
MALDEF

cc: Karen Morgan, Vice President (via U.S. mail)  
Joyce Chamberlain, Clerk (via U.S. mail)  
Dr. Gabriel Luis Stine, Trustee (via U.S. mail)  
Dr. Gary Elder, Trustee (via U.S. mail)  
Jan Gonzales, Superintendent (via email)